

NATIONAL ASSEMBLY

OFFICIAL REPORT

Wednesday, 12th March, 2008

The House met at 9.05 a.m.

[Mr. Speaker in the Chair]

PRAYERS

PROCEDURAL MOTIONS

EXEMPTION OF BUSINESS FROM PROVISIONS OF STANDING ORDER NO.33

The Vice-President and Minister for Home Affairs (Mr. Musyoka): Mr. Speaker, Sir, a very good morning to you and all of us.

Mr. Speaker, Sir, I beg to move the following Motion:-

THAT, this House orders that the Business appearing in today's Order Paper be exempted from the provisions of Standing Order No.33, being a Wednesday morning, a day allocated for Private Members' Motions.

Mr. Speaker, Sir, in moving this Procedural Motion, I wish to note that it is still a bit too early in the history of the Tenth Parliament for us to have had hon. Members, particularly new hon. Members, come up with Motions. I wish to say that from the point of view of the House Business Committee, we shall give priority and, as we heard yesterday, serious consideration to business that will be coming from private hon. Members, always to be discussed on Wednesday mornings. I want to make this commitment right from the word go, because it is important that Private Members' Motions be given priority and prominence.

Mr. Speaker, Sir, since this is provided for under Standing Order No.33, and in view of the fact that we have urgent business to transact, particularly following the historic signing of what we now call the "Peace Accord", it is important that we all understand and accept that we can dispense with the requirements of Standing Order No.33. This is a Procedural Motion.

I beg to move.

The Minister for Roads and Public Works (Mr. Michuki) seconded.

(Question proposed)

The Member for Kisumu Rural (Prof. Anyang'-Nyong'o): Mr. Speaker, Sir, I wish to support this Motion given the importance of the business before the House. I want to support the Leader of Government Business in urging hon. Members that we do so.

Hon. Members: Volume! Volume!

The Member for Kisumu Rural (Prof. Anyang'-Nyong'o): Mr. Speaker, Sir, this microphone was not alive to my being here today, but I suppose it has been woken up.

I was saying that I would like to support this Motion given the importance of the business before the House as stated by the Leader of Government Business. Without much ado, I would like

to request that the Question be put.

(Question put and agreed to)

LIMITATION OF DEBATE ON
PRESIDENTIAL ADDRESS

The Vice-President and Minister for Home Affairs (Mr. Musyoka): Mr. Speaker, Sir, while thanking hon. Members for that very speedy agreement with the earlier Procedural Motion, I know that we are all trying to catch up with the events of our Wednesday morning. However, I beg to move the following Procedural Motion:-

THAT, the debate on the Motion on the Presidential Address be limited to a maximum of Seven Days, with not more than ten minutes for each Member speaking; and the Mover in moving and replying, who shall be limited to twenty minutes in either case.

Mr. Speaker, Sir, debate on the Presidential Address is a very important matter. Since we have so many of our new colleagues who may want to take the opportunity to make their maiden address before this august House, it is our wish that as many people as possible be given that opportunity to speak. On the other hand, if only I can remind all of us regarding what the President said when he addressed the nation from where you are seated Mr. Speaker, Sir, he said, that there was need to move promptly in discussing the matter of the two Bills that we proposed namely; The Constitution of Kenya (Amendment) Bill as well as the National Accord and Reconciliation Bill. That notwithstanding, it is important that this House does discuss this very important Address.

Therefore, as is normally the practice - although in these days of serious change, some of us feel that we do not have just to rely on procedure - in this House, Members speak for ten minutes. That is why we have that soil, or whatever it is, in the Hour Glass and the red light, which signifies that one's contribution has come to an end. Therefore, ten minutes is sufficient. It has been sufficient in the past. We think that as many Members as possible will get the opportunity to make their maiden address.

Mr. Speaker, Sir, I noticed yesterday, on a lighter note, when the Member for Kangundo stood up to speak for the very first time, he was actually quite rudely interrupted. I am sure he did not know why, but it is because he had put up his hand instead of standing in his place to be recognised. I think we can all live with a little bit of this discomfort as hon. Members get to appreciate the Standing Orders of this House.

Therefore, since this is the normal practice of the House, I want to plead with my honourable colleagues that, again, we adopt this procedure, it being understood that, of course, seven days may not run the full course in view of the urgent business that will be coming shortly before this House; in fact, some of which already appears in today's Order Paper.

I beg to move.

The Member for Sabatia (Mr. Mudavadi) seconded.

(Question proposed)

(Question put and agreed to)

LIMITATION OF DEBATE ON
PRIVATE MEMBERS' MOTIONS

The Vice-President and Minister for Home Affairs (Mr. Musyoka): Mr. Speaker, Sir, I beg to move:-

THAT, the debate on the Private Members' Motions shall be limited in the following manner:-

A maximum of two hours with not more than twenty minutes for the Mover; Twenty minutes for the Government Official responder and ten minutes for each other Member speaking, and that ten minutes before the time expires the Mover be called upon to reply.

Mr. Speaker, Sir, again, this has been standard practice in this House. Since at the beginning of a new Session of every Parliament we have literally to renew all the Motions - and this is one very important matter that governs parties on every Wednesday morning - I said, earlier on, Members will have business being placed before the House in the form of Private Members' Motions. Therefore, it is important that we govern our own conduct right from the outset.

I know that when it comes, for instance, to the Mover being called upon to reply ten minutes before the end of time, you would hear certain Movers donating three or five minutes to some of their colleagues who may have urgent contributions to make. This is normal practice so that we can facilitate the conduct of business during our Wednesday morning sittings.

Mr. Speaker, Sir, once again, I beg to move and, perhaps, ask my good friend, Mr. Musalia, unless he has any objection, to second this Motion. I noticed that he only nodded and then sat down.

The Member for Sabatia (Mr. Mudavadi): seconded.

(Question proposed)

(Question put and agreed to)

LIMITATION OF DEBATE
ON ADJOURNMENT MOTIONS

The Vice-President and Minister for Home Affairs (Mr. Musyoka): Mr. Speaker, Sir, I am truly delighted with the speed at which we are moving this morning. On a cautionary note, but pleasantly, I hope the fact that we are all one big House, and no Opposition, is not the motivating factor. That is because some of these issues are, indeed, fairly delicate and sensitive. As I said, in these days of change, perhaps, one could also be forgiven for wanting to join issues at every stage of these deliberations.

However, I beg to move the following Procedural Motion:-

THAT, the debate on any Motion for the Adjournment of the House to a day other than the Next Normal Sitting Day shall be limited to a maximum of three hours with not more than five minutes for each member speaking;

Provided that, when the period of recess proposed by any such Motion does not exceed nine days, the debate shall be limited to a maximum of thirty minutes, and shall be strictly confined to the question of the adjournment.

This, again, is a fairly normal matter. Shortly, we will be adjourning for the Easter break and, normally, a Motion of Adjournment has to be moved. However, where we have Adjournments under Standing Order No.20, where hon. Members would want to stand on a matter of urgent national importance, that is when we have to speak on the issues that such an hon. Member would want to have highlighted. That is when we have that proviso. I am sure that this is the main reason why we have to make a distinction between the normal Adjournment where, for instance, we have

to go on a long recess, and Adjournments that are just under nine days. Normally, hon. Members might want to give notice to the Chair when standing on a Motion of Adjournment to discuss matters under Standing Order No.20.

Mr. Speaker, Sir, therefore, this is a purely procedural matter and I hope that my colleagues here will approve this Procedural Motion.

I beg to move.

The Member for Sabatia (Mr. Mudavadi): Mr. Speaker, Sir, I beg to second.

(Question proposed)

The Member for Kisumu Rural (Prof. Anyang'-Nyong'o): Mr. Speaker, Sir, I wish to support the Leader of Government Business in this Motion. But this is one of the most frustrating Standing Orders in this House. That is because when hon. Members ask for Motions of Adjournment, they are usually on matters which are of great national importance or matters that are very important to the House. Therefore, the time limit given for these Motions of Adjournment may have been appropriate in colonial times when Parliament was made up of the gentry, who agreed on most of the issues. However, these days, given the diversity of society and issues confronting the nation, I would like to appeal to the House that we revise the time limits that are prescribed in this Standing Order. For example, asking 220 hon. Members to debate a Motion for 30 minutes is bordering on the ridiculous. So, I do not know what procedure we may adopt today, but surely, I think it stands to reason that asking 220 people to debate an important issue for 30 minutes is either ridiculing what they are doing, or tasking them to be too precise to express themselves in the time given.

So, I have always been uncomfortable with this Standing Order since 1993 and I continue to be uncomfortable. I would, therefore, like to appeal to Mr. Speaker that this particular Motion be looked at and even if passed, the House doth agree that the Standing Orders Committee immediately looks at the time limit in this particular Motion of Adjournment to be brought back to the House and the limit be revised accordingly.

(Question put and agreed to)

Mr. Orenge: On a point of order, Mr. Speaker, Sir.

Mr. Speaker: Order, Mr. Orenge!

CONSIDERED RULING

REDUCTION OF PUBLICATION PERIOD OF
A BILL CAN ONLY BE DONE THROUGH
A PROCEDURAL MOTION ON THE
ORDER PAPER

Mr. Speaker: Hon. Members, before Mr. Orenge proceeds, I had indicated yesterday that I will give a clarification this morning on a matter that was raised by Ms. Karua. This is my clarification.

Hon. Members, yesterday, Tuesday, 11th March, 2008, you will recall that the hon. Member for Ugenya, Mr. Orenge, stood to move a Motion to reduce the publication period for the Constitution of Kenya (Amendment) Bill, 2008 and the National Accord and Reconciliation Bill, 2008, which Bills were published on 6th March, 2008. The Minister for Justice and Constitutional

Affairs thereupon stood to second the Motion but added that she was doing so on condition that the Motion was, in the judgement of Mr. Speaker, in accordance with the Standing Orders. You will recall that I deferred my ruling on the matter and undertook to give a considered ruling this morning. As I said, the issues for determination are the following:-

(a) Whether it is in order for an hon. Member to move a Procedural Motion not set down in the Order Paper; and,

(b) Whether it is in order for an hon. Member to seek to reduce the publication period of a Bill that is not before the House. On the first issue, the order of business of this House is governed by Part (7) of the Standing Orders. Standing Order No.30 provides that the Order Paper showing the business to be transacted is to be prepared and circulated before the House meets. Standing Order No.31 details the order in which this House shall transact its business. It provides that business shall be disposed of in the sequence in which it stands upon the Order Paper, or in such other sequence as Mr. Speaker may, for the convenience of the House, direct.

As a general rule, Standing Order No.31 will appear to leave no room for any business to be attended to by the House other than that set out in the Order Paper. This rule appears to be qualified by a number of exceptions. Some of these exceptions and qualifications are to be found at Standing Order No.45 which sets out the Motions that may be moved without notice. Among them, at Paragraph 45(g), is a Motion made in accordance with the Standing Orders governing the procedure as to Bills.

Hon. Members, the circumstances leading to the Motion by Mr. Orengo are well known to all of us. We all know that the Bills in question were published at a time when there was no House Business Committee (HBC) in place. The HBC could not, therefore, have met and decided to have this matter placed on the Order Paper. The question, however, is: Is this mandatory so that failure to do so is fatal and must lead to disallowance of the Motion? The point of principle is that a Member has a right to invoke Standing Order No.45 to move a Motion that the publication period of a Bill be reduced. However, the House needs to know what it is being invited to do. The Order Paper is the agenda of the House and it will not be right for the House to be ambushed by being asked to reduce the publication period of a Bill without the matter having been listed as coming up before it.

Hon. Members, the matter of reduction of the publication period of the Bills is dealt with by Standing Order No.98. The Standing Order makes it clear that a Bill can be introduced in this House before the expiry of seven days or 14 days as the case may be, if the House so resolves. This has been done on many occasions previously by this House. It seems quite clear to me from a reading of Standing Order No.98 that the need to reduce the publication period can only arise before a Bill has been introduced in this House. There can be no point of seeking the reduction of the publication period of a Bill when the publication period has already run its course and the Bill has been read for the first time in this House. However, to do this, the matter must be put before the House in the Order Paper.

Hon. Members, from the foregoing, my ruling is that whereas Mr. Orengo's Motion was in point of substance in order, under our Standing Orders, the Motion could not be moved without the Bill being put in the Order Paper as this will amount to an ambush on this House. The House has to be seized of the Bill. It is so seized when the Bill is before it. Hon. Members, this matter has since been sorted out. The HBC discussed it last night and the relevant Procedural Motion is in the Order Paper for the morning sitting today.

Thank you.

(Applause)

PROCEDURAL MOTION**REDUCTION OF PUBLICATION PERIOD:
THE CONSTITUTION OF KENYA
(AMENDMENT) BILL AND THE
NATIONAL ACCORD AND
RECONCILIATION BILL**

Mr. Orenge: Mr. Speaker, Sir, I thank you for your ruling on this matter. I am not to be seen to be in disagreement with your ruling. I wish to congratulate you that over a period of very few sittings of this House, you have made several rulings which will go into the annals of this Parliament. I am grateful for the ruling.

Mr. Speaker, Sir, I beg to move the following Procedural Motion.

THAT, this House orders that the publication period of the Constitution of Kenya (Amendment) Bill and the National Accord and Reconciliation Bill be reduced from 14 to six days and not five days as appears on the Order Paper.

Mr. Speaker, Sir, I think the House heard what I said yesterday. Although what I said yesterday is not really part of the records in so far as this Order No.10 is concerned today, I think the House knows the circumstances under which these Bills have been published and are going to be introduced to the House. We need to fast-track these Bills.

Mr. Speaker, Sir, it is important that we capture the mood of the moment and ensure that the process of healing commences in this nation within a certain legal framework. I urge that the period for publication of these Bills, and their introduction to the House, be reduced from 14 to six days.

Mr. Speaker, Sir, I think that this is a time in which Parliament can demonstrate that in moments of need and emergency, it can actually generate business and accomplish it within a record time if it is desirous to do so. In fact, several Parliaments before have done exactly that; sometimes for very wrong reasons or very good reasons. I think this time Parliament will be acting for a very good reason.

Mr. Speaker, Sir, before I conclude, I think it is important in this country that everybody in the governance structure of this country realises that Parliament is supreme. Before Parliament has passed a Bill into a law, civil servants should be very careful in commenting on what Parliament has not passed.

(Applause)

I mean even this Parliament has not been told what structures are going to be there at all. Until and unless we pass this Bill we cannot even go back to our constituents and say this is the structure of a new government or an anticipated government. Now, it would be undermining the authority of this House for anybody and I am not necessarily saying a particular civil servant, but even anybody in this country, to begin to talk about structures which this Parliament has not debated, approved or, otherwise refused to approve. For that reason, I wish to plead that since there is some kind of consensus now prevailing on both sides of the House that we got to be very careful about what we say in this period. Everybody should wait until Parliament has given the final word which will come after these Bills are debated and enacted into law following the assent to the Bills.

Mr. Speaker, Sir, with those remarks, I beg to move.

The Minister for Justice and Constitutional Affairs (Ms. Karua): Mr. Speaker, Sir, I beg to second. Noting that you did not rule on whether the Bill published by myself that the period of shortening can be moved by my colleague, I want to cede the right to move to him and second, but

it is a point that you will have to look at for the future.

Mr. Speaker, Sir, I want to agree that there is mutual consent that these Bills be accelerated. I want to plead with hon. Members, that we are accelerating these Bills, so that we can have peace and stability in the country. We need to also accelerate the peace process. Hon. Members who are coming from constituencies where we are still hearing of flare-ups have a special responsibility to accelerate peace building in their constituencies.

(Applause)

Members who come from areas where there are Internally Displaced Persons (IDPs) or where they have been displaced have a special responsibility to accelerate peace to enable resettlement of all the internally displaced Kenyans. All these are points of mutual consent which both sides have agreed on. We should cease to talk about both sides and talk about this House. We have also agreed about identification and prosecution of perpetrators. Let us take steps so that the rule of law may reign.

Mr. Speaker, Sir, I want, finally, to say this: If we agree that we should not anticipate debate as Members and that is, indeed, the rule, then we should not respond to comments outside the House. It is not just civil servants. Civil servants have responded to comments by politicians. Let us be fair even to those outside the House. I want to agree with the caution that, let us exercise restraint, so that we enable the process to move without hitches and we adopt consultations. Yes, the Bills spell out the structures and each one of us can tell our constituents; it is as per the Bills published by the House. So, it is not wrong to mention what there is. Kenyans need to know. But let us pass it so that it is open to everybody and becomes a law.

With those few remarks, I beg to second.

Mr. Speaker: Hon. Members, the Minister has sought further clarification. But, indeed, it was not necessary for me to cover that additionally in my ruling. This is because on matters of reduction of the publication period, this is clearly provided for and fully covered by Standing Order No.98. Standing Order No.98 does not restrict moving of such a Motion to either the Minister or a member of the Government. Indeed, any Member of the House can move that Motion.

(Question Proposed)

The Member for Mbooni (Mr. M. Kilonzo): Mr. Speaker, Sir, the country and indeed, the world is holding their breath to see whether this House would rise to the occasion in order to legislate the solutions that are so urgently needed to the problems that this country faced following the December, 2007 General Elections.

I would like to salute and join my colleagues hon. Orengo and hon. Karua, in supporting this Motion. I stand to support it. Not enough can be said about the need to merely reduce the publication period of these Bills from 14 days to six days in order to enable the country to know what this Parliament has regarding the solutions that arose from the mediation team that this country appointed for purposes of finding a solution to those problems.

I would like also to say, in conclusion, that this is the first legislation to be tabled on the Floor of the House arising from the mediation talks in this country involving the African Union (AU). Above all, I would like to draw the House's attention to the fact that the problems that we faced notwithstanding, the Constitution stood its ground. Hence, one of the Bills is going to be seeking the amendment of that Constitution, in order to facilitate legislation for purposes of solving problems. So, to that extent, the Constitution of the country requires salute.

Before I sit down, I want to pay tribute to the President and to the Prime Minister-designate, hon. Raila, because without them, what we are going to be debating, if this Motion is

passed, would not have been possible.

Thank you, Mr. Speaker, Sir,
I beg to support.

The Member for South Mugirango (Mr. Omingo): Thank you, Mr. Speaker, Sir. First of all, I want to echo my sentiments and appreciation to this House for having accepted to unanimously agree to reduce the publication period of these Bills. However, it is important as, hon. Karua has just mentioned, that we should calm tensions and pressure within the country. It goes beyond that. We expect mutual and a hand of reconciliation from the leadership so that we do not do anything in a manner likely to suggest any new flare-ups. As I thank the negotiators, I want to appreciate that the roles they have played is crucial in terms of putting us where we are today. I would also want them to have agreed in the boardroom before they come to disagree out here. This is because it also sends wrong signals. If they cannot agree and talk to each other outside the boardroom, it also sends wrong signals. Let those ones of us who are not in there query to clarify and not the negotiators.

With those few remarks, I beg to support.

The Minister for Foreign Affairs (Mr. Wetangula): Thank you very much, Mr. Speaker, Sir. I also wish to support this Motion and urge the House that these two Bills are negotiated Bills-negotiated by representatives of both sides of the House. Since the country is anxiously waiting for their passage in this House, I want to urge that when they eventually come for Second Reading, the House should take advantage of Standing Order No.99 and combine the Second Reading and the Committee Stage so that we can be able to pass them in one single afternoon.

Mr. Speaker, Sir, I also want to urge Members that these Bills having been negotiated were also equally signed and initialled by the two principals; President Kibaki and hon. Raila, so when they come to the Floor, we should pass them as they are to give meaning to what our principals appended their signatures to so that we can be able to move to the next level of having a broad-based all-inclusive government to move forward our country on the development agenda.

Thank you, Mr. Speaker, Sir, I beg to support.

The Member for Narok North (Mr. ole Ntimama): Mr. Speaker, Sir, I stand to support this Motion which would help this country to attain peace that we have been seeking for the last two months. Let me say something that all of us must know. The agreement that was signed by President Kibaki and hon. Raila says very clearly that not any one group can rule this country now alone. It must be understood whether you are in Government or not that the people of Kenya are watching us. This Accord must be shared equally without any hitch from the Muthauras of this world who were coming up with sideshows. They are just going to make things difficult and complicated. I agree somehow.

I have heard my hon. friend, Ms. Karua, say that people should be prosecuted, it is okay, but we must not have selection in the prosecution. Right now, the Rift Valley Province is being targeted and we have got a lot of harassment. Innocent people were being chased around in the Rift Valley Province just because they participated in those demonstrations which they considered rightful.

The Minister for Information and Communications (Mr. Poghisio): On a point of order, Mr. Speaker, Sir. I do not intend to disrupt my friend, but he has to yield. He is still on his feet--

*(Mr. ole Ntimama remained
standing in his place)*

Mr. Speaker: Order, Mr. ole Ntimama! The Member is on a point of order and you should resume your seat!

The Minister for Information and Communications (Mr. Poghio): Mr. Speaker, Sir, I would like to bring to your attention the fact that, I believe that Mr. ole Ntimama is out of order in debating a Motion which is not before the House. It calls upon us to think about the relevant issues.

Mr. Speaker: Hon. Members, that point of order is quite legitimate. Shall we, please, in our contributions to this Motion, restrict ourselves within the purview of relevance. The Motion would come later. We are now debating the Motion on reduction of the publication period for the Bills.

The Member for Narok North (Mr. ole Ntimama): Mr. Speaker, Sir, I mentioned this question of prosecution, because Ms. Martha Karua emphasized it. I thought she was anticipating debate. Since she mentioned it, we have to make some of these things clearer. We think there is a lot of harassment and arbitrary arrests in the Rift Valley Province. We think we have to have a professional committee to decide what to do. It is not only a few people who are going to decide that So-and-So should be prosecuted. The Rift Valley Province is being targeted. I am saying that unless we watch this thing very carefully, it is going to be very dangerous.

The Attorney-General (Mr. Wako): On a point of order, Mr. Speaker, Sir. Is it in order for the hon. Member of Parliament to say that there are a few people here who decide on prosecutions when it is known that the ultimate authority under Section 26 of the Constitution is the Attorney-General? I can assure this House that I have given firm instructions to the Commissioner of Police to carry out investigations, not selectively but comprehensively, throughout Kenya, so that the decision to prosecute can also be comprehensively made.

Secondly, the mediation team has agreed on setting up a commission on post-election violence, which will be chaired by people of repute. I can only anticipate that, the commission will be investigating not only the perpetrators of violence but also the underlying causes, and will also be objective and come up, again comprehensively, with the perpetrators across the board. I can assure this House that when that happens, they will be prosecuted across the board.

Mr. Speaker: Mr. ole Ntimama, have you concluded your contribution?

The Member for Narok North (Mr. ole Ntimama): Mr. Speaker, Sir, I have only one or two more comments to make. I have a lot of respect for the Attorney-General. I think he has served long enough in this office. He has been a very fair person. However, there are a lot of allegations today the world over that police bullets killed more than half the people who were killed in this case.

(Applause)

We need to investigate these things. One of the police officers was caught on camera. That was not the only one! Many others used their bullets and shot people at random and carelessly at Kibera and in other places.

Mr. Speaker, Sir, right now a lot of things are going on all over the world. It was reported by one of the most respected world media groups that there was a meeting between Government officers and the *Mungiki* at State House. We saw what happened in Naivasha. The mayhem that took place when the police were standing up---

The Member for Wajir West (Mr. Keynan): On a point of order, Mr. Speaker, Sir. Is it in order for Mr. ole Ntimama to continue to mislead the House when you have ruled him out of order? He continues to say the same things that are irrelevant to the context of what is being discussed.

The Minister for Justice and Constitutional Affairs (Ms. Karua): On a point of order, Mr. Speaker, Sir. The Chair has ruled many times before that the House does not rely on

newspaper reports. Is it in order for Mr. ole Ntimama to purport to quote false allegations in newspapers about the *Mungiki* and the Government, and to mislead the House that half the people killed were killed by the police, when we know they were killed by raiders?

Mr. Speaker: Mr. ole Ntimama, will you please clarify? If you were quoting a newspaper report, I did not hear you do so. However, let me hear your authority for that information!

The Member for Narok North (Mr. ole Ntimama): Mr. Speaker, Sir, we are discussing the issues that are taking place in this country. It is public knowledge; it is known all over the world; it is in websites---

Mr. Speaker: Mr. ole Ntimama, if you are unable to furnish the House with your source of information, the authority for the allegation that you are making, then you are certainly out of order!

It seems that Mr. ole Ntimama has concluded his contribution, have you?

The Member for Narok North (Mr. ole Ntimama): Yes, Mr. Speaker, Sir.

Mr. Speaker: Yes, Mr. Munya!

The Member for Tigania East (Mr. Munya): Thank you Mr. Speaker, Sir---

An hon Member: On a point of order, Mr. Speaker, Sir.

Mr. Speaker: There is nothing being said as yet!

Mr. Munya, could you please proceed?

The Member for Tigania East (Mr. Munya): Mr. Speaker, Sir, I support the Motion for shortening the publication days, so that we can quickly formalise the Coalition Government and move on with the agenda of building Kenya.

Mr. Speaker, Sir, without anticipating debate on the proposed Bills, some of us have problems with them, especially the Bill on the Constitution. The National Accord and Reconciliation Bill is okay, but the way the Constitution of Kenya (Amendment) Bill is drafted is not likely to be supported by many of us. This is because we are purporting to transfer powers that are in the Constitution into an ordinary Bill. I am raising this matter early because in the spirit of the new coalition, which we all want to institutionalise---

Mr. Orogeno: On a point of order, Mr. Speaker, Sir. When the Bills will be read the First, Second and Third Times we will have ample opportunity to debate them. Is the hon. Member in order to try and debate the Bills which are not before the House? They cannot be introduced before the House before we pass this Procedural Motion. I think he is anticipating debate on a matter which is not formally before the House. If you allow that to continue then this Motion will take the whole day.

Mr. Speaker: Mr. Munya, you are certainly out of order! You cautioned yourself that you did not want to anticipate debate then you went on to begin to anticipate debate in your contribution! Could you, please, refrain from doing that? Make your contribution relevant to the Motion!

The Member for Tigania East (Mr. Munya): Mr. Speaker, Sir, I was trying to be helpful to the House, because, as you are aware, a Constitutional Bill cannot be amended on the Floor of the House, yet we all want the Bill to pass. It is in the best interest of this House that the drafting is done properly, so that we can move on. It is a question of trying to assist the Attorney-General to look into the problems in that Bill, so that we can pass it the way Mr. Wetangula said, namely that it should be passed in a few minutes or hours.

Mr. Speaker: Order, Mr. Munya! You cannot do that at the expense of flouting the Standing Orders! So, please, stay within the rules.

The Member for Tigania East (Mr. Munya): Mr. Speaker, Sir, I want to support the

reduction of the days so that the Bill can come here for debate.

Thank you.

The Member for Kisumu Town West (Mr. Aluoch): Thank you, Mr. Speaker, Sir. I stand to support the Motion to hasten the process of legislation. However, I wish to caution that as we do so, we should indicate what we said before this House concerning the spirit of the amendment so that the spirit of reconciliation can start from the Floor of this House. If Kenya does not see reconciliation starting from here, then we might have difficulty in passing this Bill. I wish to caution that the process of legislation is very grave. We should handle it with the gravity it deserves. We should address these issues as Members of this House.

I support the Motion.

The Member for Isiolo South (Mr. Bahari): Thank you, Mr. Speaker, Sir. I stand to support the Motion in the interest of this country. As we proceed, a lot is expected of the Members of the negotiating team, because this Bill is their product, to explain in detail to the House a lot of issues which are quite unclear. Negotiation is normally a protracted and complicated exercise. What matters, and perhaps what hon. Members need to know, is the spirit in which the Accord has been reached. We expect the Members of the negotiating team to jointly educate the House on the spirit behind the agreement.

I beg to support.

Hon. Members: Put the Question!

Mr. Speaker: Hon. Members, I thought there were a few more Members who were interested in contributing. However, if it is the mood of the House that I now put the Question, so will I.

(Question put and agreed to)

BILLS

First Readings

THE CONSTITUTION OF KENYA (AMENDMENT) BILL

Mr. Speaker: Mr. Attorney-General, will you please indicate when the second reading will come?

We will deal with the constitutional one first.

The Minister for Justice and Constitutional Affairs (Ms. Karua): Mr. Speaker, Sir, the House Business Committee agreed that it comes to the House on Tuesday afternoon.

*(Order for the First Reading read -
Read the First Time - Ordered to
be read the Second Time tomorrow)*

THE NATIONAL ACCORD AND RECONCILIATION BILL

*(Order for the First Reading read -
Read the First Time - Ordered to
be read the Second Time tomorrow)*

MOTION

THANKS FOR THE PRESIDENTIAL ADDRESS

The Vice-President and Minister for Home Affairs (Mr. Musyoka): Mr. Speaker, Sir, I beg to move the following Motion, having given notice of the same when His Excellency the President addressed the nation.

THAT, the thanks of this House be recorded for the exposition of public policy contained in His Excellency's Presidential Address from the Chair on Thursday, 6th March, 2008.

On the outset, I would like to pay tribute to His Excellency the President for the exposition of public policy contained in that Address. I would also like to pay tribute to all hon. Members for being here today. I know that, at the informal Sessions, we had an occasion to congratulate each other. However, the fact that we are here as Members of the Tenth Parliament, is, indeed, a very historic occurrence.

Mr. Speaker, Sir, allow me to congratulate each and everyone of us for the battles that we fought valiantly for the defence of this country; the defence of the principles that we hold dear as a country, including the rule of law. We may at times have over-shot and I know that for those cases, we will have an occasion to address ourselves candidly.

Mr. Speaker Sir, we have a very historic moment as the 10th Parliament to deliver what this country has been yearning for, for over a decade, namely, a new constitutional dispensation. We have made a few false starts, including a very serious one at Bomas, but we fell short of our peoples' expectations. Indeed, I dare suggest that the violence we saw during and after the December 27th General Election has a direct bearing on the fact that we have failed as leaders to give Kenyans a new Constitution. I have heard commentators say that there comes a time when in the history of a nation, some constitutional moments arise. I think now we have a constitutional moment in this country. I want to suggest that we do not let the country down.

Allow me to pay tribute to Mr. Raila who joined His Excellency the President on 28th February, during that very historic signing of what will be coming before this House. In thanking President Kibaki and Mr. Raila, I will be remissive if I do not pay tribute to the African Union (AU) and the pride they have been to all of us, not just to this country but to the entire continent. That Africans have come of age and they can rally behind one of their members in moments of crisis and bring an abrupt end to the crisis.

Therefore, when President Kufuor of Ghana, in his capacity as the Chairperson of the African Union flew in promptly and held consultations, and before he left he said that he would send a team of eminent personalities, perhaps the world did not take him seriously. However, it did not take long before His Excellency Dr. Kofi Annan together with Her Excellency Graca Machel and His Excellency William Mkapu came to Kenya and stay the course until an accord was reached.

Mr. Speaker, Sir, in between, many other friends came in believing that if a neighbour's house is on fire, then, indeed, one would come with a bucket of water or whatever it is at their disposal to put out the fire. Therefore, all the wonderful people - Bishop Desmond Tutu, the retired President Chissano and the former President of Botswana. All of them came, including former Zambian President, Mr. Kenneth Kaunda. We want to pay tribute to them for the concern they showed during those moments. Indeed, although we are strictly not out of the woods yet, but I think we would be selfish if we did not recognize the wonderful contribution of African eminent personalities.

Mr. Speaker, Sir, President Jakaya Mrisho Kikwete, the President of the neighbouring

United Republic of Tanzania and the new Chair of the African Commission, came in, in a quick succession. President Kikwete's arrival in Kenya was particularly divine. That is because it was at a time when His Excellency, Kofi Annan had announced to everybody the shock that he had suspended the talks. That is when President Kikwete and the new Chair of the African Union arrived. He did not leave until the signing ceremony.

Mr. Speaker, Sir, all of us feel greatly appreciative of the efforts of Africa. But, of course, this matter belongs to all of us! That is why, in the first place, President Kibaki and Hon. Raila deserve a special mention and congratulations and, indeed, all of us. We had been active participants. Even where we apparently were not as active as Members of Parliament, I think we were all cheering from the rear.

Therefore, very quickly, Mr. Speaker, Sir, allow me to also thank, specially, the teams of able negotiators. Even Kofi Annan himself was able to confide in me that he could not have had meetings with better minds. On the Government coalition side, as it then was, were hon. Martha Karua, hon. Moses Wetangula, Prof. Sam Ongeru and hon. Mutula Kilonzo. I think they all deserve commendation.

(Applause)

On the other side, there were Moses--- Oh! Hon. Wycliffe Musalia Mudavadi--- His son is called Moses. So, I am not really completely off record. They were together with my brother, hon. William Ruto as well as Dr. Sally Kosgey, with whom we have a fantastic history of having served together in the Ministry of Foreign Affairs. She contributed immensely with her diplomatic skills in getting everybody moving. I want to congratulate Dr. Sally Kosgey in a particular way and to welcome her to the 10th Parliament. You deserve to be here! I congratulate hon. Jimmy Orengo, my learned friend, because when he came in, he did quite a lot. Therefore, the eight of you have also done this country proud. We have before us a legislation that I am sure this House will be looking forward to enacting.

In fact, Mr. Speaker, Sir, the President covered quite a number of issues. I want to pay tribute to him for pointing out matters that are important and the Bills that are urgent. That is because the negotiators went very quickly through agenda item number one on the need to bring to an end the violence that was crippling this beautiful country. Secondly, they were able to agree that there was need to address the humanitarian crisis that has been facing our people. The crisis is still there. About 500,000 of our own people are living as refugees in their own country! That is completely unacceptable!

But, then, under agenda item number three, they had to retreat to Kilaguni Serena Safari Lodge. When they came out of there, I think they had agreed that there was need to find a political solution to the crisis. That led to the famous signing ceremony. They are now dealing with agenda item number four and we wish them Godspeed.

Mr. Speaker, Sir, the President indicated that this House will be called upon to very quickly put in place the necessary legislation in order to operationalize the Truth, Justice and Reconciliation Commission. I would like to urge all of us to truly look forward to that. That is because there will be need for Kenyans, in order to start the process of national healing, to ask ourselves the difficult question: Why did we allow our women to be raped? Why did we have to kill each other? Why did Kenyans, after turning out in such record numbers like never before since Independence and voted overwhelmingly for all of us to be here, why is it that they ended up killing each other? Those are difficult questions that can be tackled under the Truth, Justice and Reconciliation Commission.

Therefore, Mr. Speaker, Sir, there is need to operationalize the other suggestion to have an

independent review in order to ascertain what went wrong during the 27th December, 2007 General Elections. I am told that, indeed, from 15th March, 2008, there will be, under the Commission of Inquiries Act, the necessary efforts to get to the bottom of that issue.

Mr. Speaker, Sir, I want to pay tribute to the President. Although I know there were wide consultations within the Government and our partners who are soon coming on board on the contents of the Presidential Speech, the President highlighted what this country has actually achieved; a 7.7 per cent Gross Domestic Product (GDP) growth. We will be very fortunate if we can hit that benchmark this year, considering the fact that our tourism sector is literally on its knees. That is because 90 per cent of our tourist arrivals have actually been curtailed. The tourism sector is actually crying out loudly. I want to congratulate the team that went with us to Berlin - hon. Balala, hon. Loboso, hon. K. Kilongo, hon. K. Mwiria and others. They were out there standing in solidarity with the tourism fraternity, trying to reclaim our number one spot as the most favourite tourist destination in our continent. We were there and we could see the painful faces of those tour operators. We wish the 37 companies that went to Berlin to participate success. I know that will happen because if we continue with this spirit and mood of reconciliation, we will recover even our tourism sector. Indeed, the President indicated that there was need to bring to this House the Tourism Bill and the Wildlife Bill in order to enhance that sector.

Mr. Speaker, Sir, I particularly want to applaud the President on his thoughts on giving primacy of consideration to the need to devolve a culture of science in this country. The President actually proposed that there should be a culture and technology of innovation. We should have a science commission and not what is presently just a council. The President was able to look at the fight against HIV/AIDS. He gave a panoramic view of the problems that bedevil this country, including the need for us to fight poverty in all its forms. I know that the things that I referred to, including the problem of unemployment and poverty amongst our people, will require this Parliament to make a serious contribution.

Mr. Speaker, Sir, I heard all of us applaud when the President mentioned that it will be necessary, in future, to elect mayors and chairpersons of county councils directly. That was, of course, very clearly elaborated by the President in his Address. We all know what goes on when local government councillors go into hiding to canvass amongst themselves on who will be elected chairperson or mayors. I think that practice has been found to be faulty and undemocratic. That is when we end up with people spending money between themselves. So, *wananchi* would wish to be involved in direct election of mayors and chairpersons of county councils and other local authorities.

Mr. Speaker, Sir, the need to improve our infrastructure cannot be gainsaid. That was clearly elaborated ably by His Excellency the President.

I also want to congratulate and thank him for he saw the need to get graduates from the National Youth Service (NYS) to directly join the Armed Forces. This is tremendous because a lot of public money goes into training of our youths who go to the NYS training camps. Many of them are just like trained military officers. The fact that they can be directly absorbed into the Armed Forces, police force and other organisations is a boost to many of them.

Mr. Speaker, Sir, the President dwelt at length on the need to deal with the slum problem in this country. One of the famous slums in the world used to be Mathare. It is now Kibera slum. We, as a city, have that dubious distinction as being home and host to Africa's largest slum. Call them slums. They have been growing exponentially. I would like to thank the President because he wants us to tackle that problem head-on. It is about time we put this shame of our country behind us. We know that this has a direct relationship to the problems of unemployment and rural-urban migration. It is a matter we have to deal with. However, it cannot be tackled in an atmosphere of chaos.

What happened in the last few months can, perhaps, only happen in Kenya. I remember that it took us ten years to try and work out a comprehensive peace agreement for Sudan. But in Kenya, it has taken us less than two months. We should thank God for having put us in Kenya. Our brothers and sisters in Somalia are still wrestling with the problem of a failed African state. Of course, we want to encourage them along. I have mentioned them because they are our immediate neighbours. I remember that Somali nationals were quoted as saying: "Where on earth are we going to? When there was trouble in Mogadishu and Kismayu, at least, we took flight to Nairobi. Now, there is trouble in Nairobi. Where shall we go to?" Their prayers have been answered. For the duration they are still trying to find peace, they will get a safe haven in our country. I am sure they are welcome as neighbours, subject only to following the necessary procedures.

Mr. Speaker, Sir, I want to conclude my remarks by urging that the spirit of reconciliation begins from this House and permeates down to the lowest level. We, as the Tenth Parliament, should not rest if every moment we know that we have woken up to the reality that some of our people are still living as refugees in their own country. Therefore, the need to urgently re-settle victims of the violence cannot be overstated. We cannot also be seen to encourage the culture of impunity.

I recently visited Rwanda, and the Rwandese President was saying: "We do not feel so much worried because you are the artery that feeds the Rwanda economy. However, the fact that you have been able to kill each other reminds us, as Rwandese, of the 1994 genocide." So, this matter brings to the fore some untenable thoughts. Let us say "no" to the culture of impunity to law. Let us say "no" to the culture of violence. Let us say "yes" to a united, peaceful and prosperous Kenya.

Mr. Speaker, Sir, I beg to move.

The Member for Sabatia (Mr. Mudavadi): Mr. Speaker, Sir, I stand to second the Motion moved by the Leader of Government Business. We, indeed, truly appreciate and support the sentiments contained in the Presidential Speech. I would like to request hon. Members of this House that as they discuss this particular Motion, they also take into account the remarks that were made by the President when he addressed the joint parliamentary group meeting of the Orange Democratic Movement (ODM) and the Party of National Unity (PNU) on the same day of 6th August, 2008, in the morning. The two statements will really help us in understanding where he was coming from and where he wants us to go.

It is important to acknowledge that there is a new spirit, which must be nurtured. Kenya is going through an extremely difficult situation at this point in time. We, therefore, need to have serious regard to occasion. When I say "serious regard to occasion" I mean that we need to know where we are. If we know where we are, we shall be very careful in the sentiments of the pronouncements that we make. This is absolutely essential because although it is clear that we now have resemblance of the tranquillity that is beginning to come back, a reversal can easily be ignited or triggered, depending on what we say, how we say it and when we say it. Therefore, I would like to plead that Kenyans in this kind of situation take into account certain things. If you are not competent enough to comment on a particular issue, it is important that you allow the competent individuals to give some guidance and advice on it.

(Applause)

We should not attempt to interpret issues when we are not competent to interpret them. We should not try to purport that we are pushing an agenda on a particular issue when we are not yet ready. This House is going to be called upon to make some extremely serious legislative decisions. It is important that until Parliament has dealt with that legislative agenda, we be very cautious and

refrain ourselves from trying to interpret what is not yet law.

Mr. Speaker, Sir, the Presidential Speech has a few important issues. In his remarks, at the very outset, he brings out the issue of the 300,000 displaced individuals. These individuals have lost their homes, property and loved ones. They have lost their investments. Their livelihood is literally back to ground zero. This must be the priority of this House. It must be our priority to ensure that urgent steps are taken. Towards this effort, I commend the establishment of the Endowment Fund of Kshs1 billion to be used on the re-settlement of those particular citizens of this country.

What is important is that the feasibility and functioning of the committee dealing with this endowment fund need to be brought out urgently. It is important as a starting point, to make sure that the committee handling this particular fund is made public, and that it works out effectively. Its rules and everything about it should be published in a manner that can quickly be understood. What we do not want to hear at the very outset, for instance, is that the money is being used in a distorted manner to favour one section or the other. That would be a very bad start. So, I would really want to urge that those who are managing this endowment fund take this into account, so that they quickly strike confidence in the entire Kenyan population.

Mr. Speaker, Sir, the accord that was signed by the President and Mr. Raila is so important and critical. I want to talk about an incident which happened in Kakamega, Western Province. There were some Internally Displaced Persons (IDPs) at the police station. On the night of the day when this accord was signed, people marched to the police station. For a moment, the IDPs at that police station thought that they were under attack only for them to be told, and for members of the public to speak to the police officers, saying: "We have come here not to cause injury or inflict pain on these people, but rather to tell them that they can now go back to their homes. We are ready to escort them back to their individual homes in this part of the country for them to settle and continue with their lives."

That was the importance that was put on this particular accord. It is also important for us to acknowledge that there are, indeed, still some misgivings in terms of the respect of this accord, because people want to see it translated into law. Those of you who looked at the newspapers yesterday and those of you who have interacted with some of the IDPs have been asked: "Are we sure that this peace process will hold? Are we sure that this time round things will be in order?" How else can they be sure unless we now translate this accord into law? We have to make sure that we convert the accord into law, and Parliament is the best and most competent body to do so. After all, it is the only competent body that is available to do so. I would like to request that we move ahead and be able to entrench this particular accord into our laws and also our Constitution.

Mr. Speaker, Sir, in his remarks, the President also said that this accord-- If I may quote the speech on page 13, it says:-

"It opens a new chapter in the management of our national affairs."

I am emphasizing this because it is important that we acknowledge that it is not business as usual. Even the President himself uses the words "It is not business as usual". This is a phrase that was used by both the international community and so many Kenyans, who were making comments about the crisis. The President says so on page 15 of his Address. He says so because he is acknowledging, and he wants us to acknowledge, that there are going to be changes. There is going to be a new approach and a new governance structure. In the new governance structure we must learn to be adaptive. We should not be rigid. We should not be like a huge ship that is finding it so difficult to turn. It is important that we inculcate, both at the political level and even within our Public Service, the spirit that brings out the fact that there will be a new chapter in the management of our affairs. Civil servants must remain neutral. They must do their job and serve everybody equally. It is important that they appreciate that a new era is coming in, a new Constitution is in the

offing, and that the preliminary stages of change are coming in through this accord. More fundamental change are on the way, and it is important that this starts being assimilated by the Kenyan society in the preparation for the new Kenya that we want to build.

Mr. Speaker, Sir, I want to commend my colleagues who were part of the mediation team, Ms. Karua, Mr. Wetangula, Mr. M. Kilonzo and Pro. Ongeru. On our side there were myself, Mr. Ruto, Dr. S. Kosgey, Mr. Orengo and the panel of eminent persons led by Dr. Kofi Annan. We had our moments. It was not particularly cosy. There were some vicious words from time to time. But what is important is the outcome. We must remember that the mediation process is not an end in itself. We may have been part of creating some basic framework, but the bigger challenge and task lie with this particular House to crystallise and analyze every issue as effectively as is necessary, so that we can provide sufficient hope for the reconstruction of this country.

Mr. Speaker, Sir, finally, I want to say that we have made one big commitment, and that is to have a new constitution in 12 months. That is the biggest of the commitments that are coming out of this accord. That commitment has been emphasized in the President's Address. Therefore, it is important that the 10th Parliament lives up to it. May be this is the time to look at yourselves as the famous--- For those who read the Bible, we have the Ten Commandments. It is important that we remember that this is the Tenth Commandment in terms of the legislative agenda on this particular issue.

With those few remarks, I beg to second.

(Question proposed)

The Minister for Justice and Constitutional Affairs (Ms. Karua): Mr. Speaker, Sir, I rise to support the Motion before the House, and at outset commend His Excellency the President and the Prime Minister-designate, Mr. Raila, for the historic accord that has restored calm in the country. They, indeed, provided the way forward. They came in at a time when we in the mediation team were stuck in some four issues. They were able to agree on them, and now we can proceed as a united country, and as a House united in the purpose of bringing peace and stability to our country.

I want to echo my colleague who has talked about the devastation of the sad events over the last two months, where we lost more than 1,300 lives and over 300,000 people were displaced. It is incumbent upon us, as Members of this House and national leaders in this country, to ensure that we do the best we can to return the lives of the displaced people to normalcy, and to bring in changes such as the constitutional review, legal reforms and institutional changes to ensure that this type of carnage will never again happen in this country.

Mr. Speaker, Sir, I want to thank all those who have supported this process, especially those from the African continent. I single them out because they supported us unconditionally. They did not issue a single threat, yet they are the ones who played the most important role. They are the unsung heroes of this process.

To our friends from the West, I want to say thanks but with reservations. A true friend does not issue threats. A true friend respects you; they make a strong point but with respect. I have always wondered who threatens the United States of America (USA) when they make a mistake in Iraq or elsewhere? Who threatens Britain when they make a mistake? In international relations, a country is sovereign, however tiny or poor. In human relations, every human being is a human being whatever their circumstance. Therefore, friends should deal with each other, not through threats or language that is suggestive of a slave-master relationship, but through a language suggestive of friends. So, my appreciation is limited to those corners.

Mr. Speaker, Sir, I want to say that we also have to open a new chapter as people who have

been protagonists, so that we modify our language when we refer to each other and when we differ, because that will have a bearing on how we take off. An example is what is going on about remarks made about the accord. Remarks have been made all round, but everybody has their point of view. You respect your view and you will not want to respect the other person's view. We really have to re-process our relations, as members of this House and citizens of this country in order to be able to forge ahead united. Do not preach water and drink wine. Do unto others what you would rather they do unto you. I am not saying that I am above that. We all will have to re-process what we do. It is not easy but it is doable.

Mr. Speaker, Sir, this House has a very tall order; the legal reforms that are before us, the constitutional review and our support to all the things that will help bring peace, stability, reconstruction, development and the upward trend of our economy which have all been affected by the unfortunate on-goings of the last two months. But I do believe that we are equal to the task and when we have unity of purpose, then things move faster. I do hope that we will spend sometime and also consider ensuring that we do time together in working out the schedules. It is necessary that we spend time together to bond and re-plan the way we do things. We should also have the commitment to overcome whatever problems that may arise. It is also necessary that we agree that there is no competition between us in terms of the joint agenda. Once we agree on that, we should be able to move together without hitches.

I want to wholeheartedly support this Motion and look forward to working for the benefit of all Kenyans.

I beg to support.

The Member for Eldoret North (Mr. Samoei): Thank you, Mr. Speaker, Sir. I want to join my colleagues in endorsing and supporting the Speech made by His Excellency the President. I want to say that the Tenth Parliament occupies a very special place in the history of our country. In fact, we are at a historic moment in the history of our country. It is my belief that as the hon. Members of the Tenth Parliament, we will rise up to this historic moment and take up the challenge that has been brought before us. It is historic because for the very first time, we have a grand coalition Government in the history of our country. Our coming together because of what happened after the last General Election--- Unfortunate as it was that many Kenyans, upwards of 1,000 lost their lives, enormous property destroyed and so many other things that went on; were really unfortunate circumstances. But we are here to face a historic moment. We should not trivialise this moment and make it a moment about positions. It is not about positions! Fundamentally, this moment is about, in my opinion, three things. We should use the moments that we are going to sit together in the same Government and Parliament to put to a closure the things of the past.

The mediation team proposed that we should have a Truth, Justice and Reconciliation Commission. We should seize the moment that the Truth, Justice and Reconciliation Commission provides us to deal with the things that have clouded our national life for a long time. We should settle the past so that our focus on the future is not clouded by prejudice, injustices of the past and things that form our past as a nation. I believe that the people of Kenya and we, as leaders, are going to provide the wayforward as we make the difficult confessions in the Truth, Justice and Reconciliation Commission.

Mr. Speaker, Sir, that will be the moment when we can settle the issues that make Kenyans fight every so often and seek every excuse to rise against each other. After 44 years since Independence, it is a shame that Kenyans can brutalise each other and carry machetes, *pangas*, axes, bows and arrows against their own brothers. It should concern us, as leaders, that those acts must be put to rest so that, at no other time should Kenyans rise against each other, irrespective of the conflict or argument.

Mr. Speaker, Sir, that is the moment when we can bring the country together. It is an

admitted fact that this country is deeply divided along tribal and social lines; those who have and those who do not. Inequality is a very serious and fundamental problem in our country. This grand coalition, in my opinion, gives us the opportunity to bridge the divide that has become of our country. More fundamentally, we have an opportunity, as a nation, to lay a firm foundation for the future. Together, we can overcome many of the hurdles that we have not overcome in the past. Chief among them, as has been said by my colleagues, is to have a new democratic and fair constitutional dispensation. We have had many attempts to have a new Constitution, but we have not succeeded. I am sure that together, this time round, and with the resolve that I see in the people of Kenya and the leadership of this country, we will overcome that hurdle and lay a firm foundation under a new constitutional dispensation for our country.

Mr. Speaker, Sir, the President pointed out some of the issues that we intend to tackle as a nation and as Parliament. Fundamental among the issues that the President raised concerns the young people. The youth in our country form a very significant part of our population. We have not said what we should do about 70 per cent of our population. I think this House will do this country a lot of favour in what we concern ourselves with, in terms of legislation, policy, creating more jobs and equity in our country, so that we can mainstream the participation of more people, both in the economy and the social well-being of our country.

Mr. Speaker, Sir, while we talk about growing the economy at 7 per cent, we all know that it is possible to grow this economy in double digits. I believe it is possible with strategic investments in infrastructure. I believe that the Budget that is going to be read in this House this year will give us an indication of how we will want to drive and grow this economy at above 10 per cent in the shortest time possible. This way we can create more jobs and opportunities and spread them once we implement a new Constitution. This will ensure that we mainstream the participation of the many because for a long time we have been a country of the few.

Mr. Speaker, Sir, tourism is a very important sector. We have been talking about 1.5 million tourists for a very long time. With the resources we have in this country and the wildebeest migration that was rated to be amongst the seven wonders of the world, our beaches in Mombasa and the warm people of Kenya, there is no reason why we cannot increase our tourist arrivals to 3 million and 5 million in the next 10 years. It is possible and we should do it. For example, France which is a less attractive destination gets 80 million tourists and yet they have very little to show. London which is just a block of buildings gets 20 million tourists every year.

I want to agree with the President that we should address ourselves to the Tourism Bill in this Session of Parliament, so that we can begin to anticipate tourist arrivals in the region like other countries and be able to transform our economy to a First World economy as we should.

Mr. Speaker, Sir, I am also happy to note that the President has proposed a technical industrial vocation and entrepreneurial training authority. Majority of our youth who complete Form Four or some who drop out of Standard Eight, never get an opportunity to get skills that can help them navigate through life. Majority of those who miss university education do not get a fair opportunity because we do not have means to give them necessary skills. It is for that reason that I think we should support the proposal to have a technical industrial vocation entrepreneurial training, so that we can mainstream the participation of more young people in our economy.

I beg to support.

Mr. Speaker: Before the next hon. Member makes his contribution, I have a request from our HANSARD team that, given that this is the beginning of the Session, each of you should try as much as possible to give your name and the constituency that you represent for the purpose of the record and so that your contribution is correctly immortalised.

The Member for Loitokitok (Mr. ole Metito): Thank you, Mr. Speaker, Sir, for giving me this opportunity to support this Motion. My constituency is Loitokitok and I should take this early

opportunity to thank the people of Loitokitok for re-electing me and giving me a chance to represent them in this Tenth Parliament for the second time.

In support of this Motion, I would like to comment on what the previous speaker, Mr. Ruto said. He said that the signing of this accord and the formation of this grand coalition is not about positions. I want to agree with him and urge this House that we take this opportunity of this grand coalition to give Kenyans the best Government they have ever had.

[Mr. Speaker left the Chair]

*[The Temporary Deputy Speaker
(Mr. Imanyara) took the Chair]*

Mr. Temporary Deputy Speaker, Sir, it is normally very easy out there in our constituencies for Members of Parliament to point out that this Government has done this and this and say that if they were in Government they would have done this and this. Now that we are all in the Government, there is no excuse why we should not give Kenyans the best services they have ever had.

I would like to request my colleagues that if this coming together is not about positions, then we should really take this opportunity, not to try and get positions in the Cabinet, but to study the pre-election pledges that we made to our people through our manifestos. Now that we are forming a joint manifesto that will guide the policies of the Government for the next five years, we should see which Ministry will suit which political party, not for the purposes of position, but to be able to deliver the pledges that we made to Kenyans before elections.

Mr. Temporary Deputy Speaker, Sir, I would wish to see such a criteria being used in allocation of Ministries to parties. It should not be an issue of which Ministry is more weighty than the other. Kenyans do not want to see which party takes the docket of internal security or the other. They want to see services reaching them regardless of which party occupies which Ministry.

In the pledges that we made to our people before elections, the three main parties that had presidential candidates had a lot in common. We all talked about reviving the economy to a two digits growth rate by 2012. We even talked of ways of doing that. Others talked of formation of a Ministry of Social Development that will help in equitable distribution of resources. I think we should take this opportunity that we are all in the Government to implement those pledges.

We do not have to be in a certain Ministry to implement the pledges that we made to the people before elections. There is collective responsibility in Government. Whichever Ministry each party occupies, has a collective responsibility to contribute to the running of the Government.

I would like to see some of the pledges made by party leaders during campaigns being implemented. I was happy with two or three key things that the ODM party was talking about. They should take this opportunity now that they are in Government to ensure that those services are actually available to wananchi.

I remember ODM saying that when they come to power, all constituencies will become districts. I think that is a very good move. Now that we are all in Government, we should ensure that all constituencies become districts. Budgets in this House are done as per districts. It is true that will assist in equitable distribution of resources.

They also talked of having a livestock insurance scheme. In his address, His Excellency the President talked of bringing Bills and Sessional Papers by the Government to improve the dairy sector. We should take the advantage of having those sessional papers and Bills to implement that Livestock Insurance Scheme. Every time there is drought, the coffee, tea and other agricultural sectors, I have heard---

The Member for Muhoroni (Prof. Olweny): On a point of order, Mr. Temporary Deputy Speaker, Sir. I have heard the hon. Member say that during the campaigns, the Orange Democratic Movement (ODM) pledged to make every constituency a district. We campaigned all over the country and I did not hear any ODM candidate say that. This is not even in our manifesto. Is he in order to mislead the House?

The Member for Loitokitok (Mr. Ole Metito): Mr. Temporary Deputy Speaker, Sir, I trust my words that, that is very correct. Maybe the hon. Member was not in the Presidential campaign team of the ODM. That is a fact. There was that pledge that all constituencies would become districts.

I was talking about the livestock sector. Every time a sector goes down, the Government chips in to revive it. It writes off loans, for example, in the coffee and tea sectors, to boost the sectors. However, in the livestock sector, there has never been a policy to restock or to boost that sector. I heard the ODM candidates talking about a livestock insurance scheme. Now that the ODM is in the Government, the proposal should be brought forth, so that we can see whether we can assist the livestock sector.

Every hon. Member has talked about the importance of the wildlife and tourism sector. I am happy the Kenya Wildlife Service has implemented the pledge by the Government in the Ninth Parliament by increasing the compensation fee from Kshs30,000 to Kshs200,000. However, there was a Bill in the Ninth Parliament, and I know it will be brought before this Parliament, to increase that compensation fee to Kshs1 million for anyone killed by wildlife. Now that the Tourism and Wildlife Bill is one of the Bills which have been prioritised in the Presidential Speech, I feel that the issue has been captured or addressed.

Mr. Temporary Deputy Speaker, Sir, as leaders of this country, we should now nurture and develop the culture of trust. One wise man said that every time we open our mouths, people read our minds. If we really nurture the culture of trust, we will implement all these things that we are talking about. We will have the best governance structure than we have ever had. I would like to urge all of us to trust each other and not to read each others' mind. Let us trust each other and learn to learn from each other.

Another wise man said that there are times we let things happen and there are times we make things happen. This Tenth Parliament must make things happen. We must ensure that there is peace and stability in our country. We must ensure that we give Kenyans the best laws that they are yearning for.

With those few remarks, I beg to support.

The Member for Hamisi (Mr. Khaniri): Thank you very much, Mr. Temporary Deputy Speaker, Sir. At the very outset, let me take this opportunity to thank the people of Hamisi Constituency for giving me a chance to serve them yet again for the forth time in this august House. I want to assure them that I will not let them down. Like wine, I want to tell them that I will get better with time.

On the same breadth, let me take this opportunity to congratulate all my colleagues for winning the confidence of their various constituents by being elected here to serve the electorate. I want to wish them well in their service.

Mr. Temporary Deputy Speaker, Sir, turning to the Presidential Speech, let me start by saying that this was a very well-thought speech, which not only embraces the spirit of dialogue and reconciliation, but also stipulated clearly what agenda the coalition Government has for this country. This coalition Government has a momentous task to perform. We have the task of resettling the people who were displaced during the post-election violence. We have the momentous task of reconstructing our infrastructure. We have the task of restoring confidence with our development partners and tourists. Finally, we have the biggest task of delivering a new

Constitution to this country. This one has been very evasive. We tried in the Eighth and the Ninth parliaments, but it did not happen. I believe that with the spirit that I am seeing in this Parliament, in the leadership that has come up and in Kenyans, this time round, we will give Kenyans a new Constitution. For us to succeed, we require a lot of goodwill across the board. We require unity, trust for one another, faith and integrity, as His Excellency the President said in his Speech here.

Outbursts like the ones we heard from the Head of the Public Service are totally undesirable and uncalled for. This is a very crucial time in the history of this country. The situation is still very fluid and delicate. As leaders of this country and Government officials, we must exercise a lot of restraint and be very careful with what we say in public. I want to echo the sentiments of hon. Mudavadi that if you are not qualified to comment on a matter, you should not have any business doing that. Let those who are qualified to do it do it. Otherwise, we risk the danger of taking this country back to where it was a few weeks ago. I am sure nobody wants that.

Mr. Temporary Deputy Speaker, Sir, I am very happy to note that in his Speech, His Excellency the President talked about a Sessional Paper on Employment Policy. Unemployment has been a big problem in this country and as hon. Samoei has said, the youth of this country are an integral part of our population and they must be given a chance. We hope that this time round, in the next five years, the youth will be given a chance. We do not want to see what happened in the Ninth Parliament where retirees were recycled and given jobs that were meant for the youth of this country. The retirees should stay at home and enjoy their pensions and play with their grandchildren. That is the least that we expect.

I am also happy that the President mentioned that our infrastructure is going to take a bigger share of our Budget in the years to come. In particular, our road network is in a very bad shape. I am talking about our major highways, for example, the Nairobi-Mombasa Road. A contractor has been on this road for close to four years and we can see very little progress. I want to urge the Minister for Roads and Public Works, hon. Michuki, to step in and ensure that the construction or the reconstruction of this particular road is completed. This is a very important road to the economy of this country. Similarly, the road from Nakuru to Eldoret, all the way to Malaba border, which is a very important link to the economy of this country, is in a deplorable condition. I would like to urge the Minister to ensure that the contractor completes the work on that road because he has been there for over five years.

Mr. Temporary Deputy Speaker, Sir, lastly, I want to hail the idea of electing mayors directly by the universal suffrage. This will go a long way in improving service delivery at the local level. I want to encourage that this Bill should be brought to this House, so that we can pass it.

With those few remarks, I beg to support.

The Member for Tigania West (Dr. Mwiria): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to comment on the Presidential Address. First, I would like to take this opportunity to thank the people of Tigania West Constituency for re-electing me---

*(Mr. Thuo carried a folder
into the Chamber)*

The Member for Muhoroni (Prof. Olweny): On a point of order, Mr. Temporary Deputy Speaker, Sir. The Standing Orders do not allow hon. Members to bring into the Chamber small bags. There is an hon. Member who has a small bag! He is right across on the other side; I do not know his name! He knows that he has the bag; let him---

The Temporary Deputy Speaker (Mr. Imanyara): Order, Prof. Olweny! I will deal with him.

Proceed, Dr. Mwiria!

The Member for Tigania West (Dr. Mwiria): Mr. Temporary Deputy Speaker, Sir, the hon. Member for Muhoroni Constituency had this habit even in the last Parliament, talking on trivialities and interrupting debate on matters of dress! I hope that he will restrain from this habit, so that we can talk about more serious issues!

Mr. Temporary Deputy Speaker, Sir, let me also congratulate those who were part of the peace process, beginning with the principals. We had an opportunity to learn new vocabulary. It is like when the late Jomo Kenyatta died and "*hayati*" became a new vocabulary that people were not used to. Our principals did a great job. More than that, we must not forget the various teams that led to the conclusion of the talks. Often we blamed these people as if they were not representing our positions. We really should sympathise with them. If they sounded extreme, it was because they represented the positions that we asked them to advance. We must appreciate the great job they did for this country.

Mr. Temporary Deputy Speaker, Sir, we must also thank Kenyans in general for insisting that we must come up with a solution. If this matter was just left to the politicians, we would have continued with our extreme positions, not mindful of the suffering a lot of Kenyans were going through, the trouble our business community was going through and not generally aware of the many problems, including those that have been spoken about related to tourism that our great country was exposed to.

Mr. Temporary Deputy Speaker, Sir, it is very unfortunate that we sunk that low. We sunk that low because in our midst there was dishonesty. It would not have been possible if there were no dishonest politicians in our midst. That is why there were accusations of rigging and problems of ethnic cleansing. It is also because there was poor leadership in some of our institutions, beginning with the Electoral Commission of Kenya (ECK). When we have a leader of an organisation like the ECK who says that he does not know who won, then we wonder why some people struggled so hard to support the review of his term, if they knew that is the trouble he was going to get this country into.

Mr. Temporary Deputy Speaker, Sir, there were also other problems with war mongers. There was more trouble in the country because there were politicians who were good at whipping up ethnic tensions. Some people were prepared at any time to support the kind of divisions that we witnessed in this country. I hope that, with the committee that has been formed to get to the bottom of this matter, we are going to know the whole truth, and take appropriate action against people who were involved, either directly or indirectly, in the situation that we found ourselves in, in the last three months. I hope that when that action is taken, politicians are not going to start pointing at the fact that their communities are being targeted, because those who were involved in those problems did not do so on behalf of their communities. It was often because they were after their own individual gains. If we want this matter to hold, we should be very careful about not politicizing along ethnic lines the findings that are going to come out of the committee of 15, who are going to tell us the truth about the problems that we went through.

Mr. Temporary Deputy Speaker, Sir, it is good that we came up with this agreement. It is a good model for Kenya. As we know, the Independence Constitution allowed for that kind of power-sharing and the positions of Prime Minister and so on. This may turn out to be a very good model for the rest of Africa, where countries are divided along ethnic lines, and where it may not be acceptable for certain communities to think that they are being left out of participating in national politics and the economic activities of a country the best way they would like.

Mr. Temporary Deputy Speaker, Sir, democracy must suit the specific realities of countries. We cannot continue making so much noise about how we must stick to certain principles if they are not appropriate for our Kenyan and African environment.

On the issue of the Grand Coalition, there are those who are worried that it may lead to a

dilution of democracy. I am not so sure that when we had the various political parties in the last Parliament we were any more democratic. In most cases we took positions based on our ethnicity, or the positions that were taken by leaders. Our differences had often nothing to do with ideology or principles, but had more to do with craving for power.

Mr. Temporary Deputy Speaker, Sir, if we look at the manifestos that we are supposed to put together and come up with one common manifesto, there is a lot more that is common about them than what is different. If anything, the problem has not been their similarities, but the real problem has been the extent to which we have implemented what we have written in those manifestos. As a matter of fact, we realize that at one point or the other, even those who were contesting for the position of President in this country, at one point they were in the same political parties. The Vice-President and Minister for Home Affairs, Mr. Musyoka, for example, worked with His Excellency the President for many years in KANU and NARC. Mr. Raila has worked with former President Moi and His Excellency the President. Many of us, who were involved in these contests, were at one point or the other working together as teams. Really, these are not differences of ideology but differences related to other positions that we like to take.

Mr. Temporary Deputy Speaker, Sir, I want to believe that this kind of situation could even lead to more democracy. If we go back to the Parliaments immediately after independence, one of the reasons there were detentions, and all sorts of problems with some politicians, was because politicians were more open. I have always quoted as an example the Parliament where we had Kenyans who were more national in the way they took positions. This is the Parliament which had hon. Members such as Messrs. Wamwere, Orenge, Mr. Chelagat Mutahi and Mr. Chibule wa Tsuma. Those days, Parliamentarians took positions based more on national issues as opposed to the positions that were taken by the various political parties.

Mr. Temporary Deputy Speaker, Sir, yes, indeed, this is a new beginning. But it must be more of a new beginning for the majority of the people of Kenya and not for politicians. It is not like has been said: "It is jobs for the boys". The real problem in this country is, actually, not so much one of ethnic divisions, but one of social inequality. The reason there were people in the streets fighting on behalf of politicians is because we had poor people to exploit. We had poor jobless people whom we could equip with war gear. There were people to just take advantage of. Until we resolve the problem of inequality through educational programmes, increasing employment opportunities and reducing the gap between the very rich, who are few in this country, and the majority of our people who are poor, we are not going to have a lasting solution to the kind of problem that we experienced. Really, it is not about people getting together to share power; it is the extent to which we are going to give more economic power to the majority of the people of this country, who are dying in poverty.

Mr. Temporary Deputy Speaker, Sir, again, this is a new beginning for a united

country, where we will be able to take advantage of the diversity of Kenyans. This is where we realise that it is much better, for example, for a person from Rift Valley Province to take advantage of opportunities in the Coast Province or some other place. We want to take advantage of opportunities in the capital city, because this capital belongs to all of us. If we can nurture that united country, again, this will, indeed, be a new beginning.

Mr. Temporary Deputy Speaker, Sir, this must also be a new beginning in terms of the institutions that we put in place to support that agreement and unity. The new beginning must also include respect for merit, and not giving of jobs on the basis of who is a sycophant of which politician or which ethnic group one comes from. It must be about merit, so that if we, for example, look for people who merit from North Eastern Province we will find them.

Mr. Temporary Deputy Speaker, Sir, this must also be a new beginning in terms of a

"clean" Government. Messrs Musyoka and Raila and His Excellency the President, Mr. Kibaki, all spoke about the need to fight corruption and the need for a "clean" Government. They are now working together. They have an opportunity to put that in place. We are not going to have a new beginning if we have "dirty" people in Government, or people who have supported ethnic cleansing, or those who do not care for this country but care for themselves. I think we have a unique opportunity. If we look for people from all the political parties, we will find people that are clean, people who can be trusted by the people of Kenya to never again get us back to the situation that we were in.

Finally, I would like to talk about whether or not this coalition will hold. Yes, it will hold, but it will depend very much on the extent to which we educate our people and the extent to which politicians play their role of uniting Kenyans as opposed to dividing them.

I beg to support.

The Member for Kajiado Central (Maj-Gen.Nkaisserry): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute to this very important Motion. I support the Motion.

First of all, we need to thank God for restoring peace in our country. Secondly, I would like to thank the people of Kajiado Central for electing me the second time to this very important House. Thirdly, I would like to congratulate all the hon. Members in this House for winning their seats during the last General Elections. Fourthly, I would like to commend our negotiators for reaching an agreement. Fifthly, I want to thank the mediators, led by His Excellency hon. Kofi Annan, for restoring peace in our country. Above all, of course, I would like to pay tribute to the two principals; that is, the President and Mr. Raila for really pushing for peace in this country.

Mr. Temporary Deputy Speaker, Sir, as the Chairman of Amani Forum (Kenya Chapter), I was very disappointed that our country, after 45 years of Independence, was taken back to the dogs. Most importantly, I was very disappointed because the security forces of this country allowed Kenyans to butcher one other. We have security committees in all our districts. We literally have military barracks in all the areas where Kenyans butchered each other. The barracks are in Eldoret, Nakuru, and Gilgil which is adjacent to Naivasha. It is very unfortunate that we had to wait for our people to finish each other and yet our security organs have participated in the maintenance of peace before in other countries of the world. We cannot accept this. It will not happen again and we will also hold responsible the leadership of the security organs any time our citizens continue killing each other. We will have to hold them responsible.

Mr. Temporary Deputy Speaker, Sir, I am so happy that the Truth, Justice and Reconciliation Commission will be formed to address the injustices. As you realise, some of these injustices are the causes of hatred. For example, the Maasai community to which I belong, has been marginalised since the time of colonial rule. The agreement of 1904 and 1911 caused the Maasai to lose their land which the Kalenjin and the Kikuyus are fighting over. That land does not belong to them. It belonged to the Maasai Community. So, these injustices will have to be addressed fully when that Commission is put in place. We would like that Commission to really dwell on impartiality and the truth.

As a country, we have a huge task of resettling the Internally Displaced Persons (IDPs). It is very shameful for our nation - a powerful nation in this region - to have IDPs. Who is the cause of all this? It is the Electoral Commission of Kenya (ECK). I do not understand why the Commissioners of the ECK should still be in office after causing the problems this country has been in for the last two months. So, I demand, with the support of this House, that the ECK should actually be disbanded today or yesterday for causing this country a big problem.

Mr. Temporary Deputy Speaker, Sir, we also have a big task of reconstruction. The Kshs1 billion Government funding, in my view, is not enough. We have towns like Kisumu and Molo

where IDPs need to be resettled. I think Kshs1 billion is a drop in the ocean. This is something that we need to look at critically. We need to approach this matter seriously.

The President talked about changing the Armed Forces Act so as to allow the military to recruit from the National Youth Service (NYS). It is a good idea, but I believe that the reservoir from which the Armed Forces should be recruiting our young men should continue to be the districts. We cannot accept the removal of that responsibility from the districts. If you realise, for the last five years, through corruption, the NYS was filled with people from one region or a few regions. Some other regions were actually marginalised. So, we cannot accept to have the NYS as a reservoir for recruiting our military officers. We cannot accept that at all!

Mr. Temporary Deputy Speaker, Sir, if we want to improve the economy, we should not dwell on tourism alone. We must try to reach out to other sectors. For example, in the livestock sector, there is a huge market in the Middle East. We really need to put a lot of effort in improving the livestock sector in this country so that we are able to control the Middle East market. It is very important that we develop that. Similarly, in the agricultural sector, there are quite a number of good crops which can flourish in climate such as ours.

With regard to the issue of equity, since this is a turning point for our country, we have to ensure equitable distribution of resources and positions of this nation. The issue of impunity must die with this new beginning. The issue of corruption must die with this new beginning. We do not want to see people who have been mentioned in corrupt deals such as the Anglo Leasing and Goldenberg scandals in the coalition Government. It is important that we have a reservoir of talented young men and women who can form the next Government and push this country forward.

Mr. Temporary Deputy Speaker, Sir, it is very important that we have a situation where the country begins on a clean slate. We should not recycle leaders like what I saw yesterday. The House Business Committee (HBC) is a recycled one with people who have been in this *Bunge* for the last 20 years. When are the young people going to learn? When are the young people going to take leadership of this House? It is important that we mix the old and the new so that we blend the leadership of this nation.

In conclusion, I would like to mention that democracy cannot flourish without peace and peace cannot come unless the leadership of this country ensures that our people are united and that this country is cohesive. We all belong to Kenya and not to tribes.

With those few remarks, I beg to support.

The Member for Saboti (Mr. Wamalwa): Mr. Temporary Deputy Speaker, Sir, may I also take this opportunity to thank the good people of Saboti for giving me the opportunity to serve and represent them in this Tenth Parliament, and to be part of this historic moment. Indeed, I wish to share the sentiments expressed by previous hon. Members that this is a historic moment. In supporting this Motion, I wish to say that, indeed, it is a historic moment. We have a big challenge as hon. Members of the Tenth Parliament.

What the President said in his Speech captured the mood and the new spirit in this country; the new spirit of reconciliation, compromise and national unity. It is this spirit that we must also embrace as hon. Members. Shakespeare once wrote that there comes a time when there is a tide in the affairs of men. When the tide is captured at the flood, it brings fortune: Omitted, life's voyage is spent in miseries and shallows. On such scenes, do we now find ourselves afloat as a nation. We must congratulate our two leaders, His Excellency the President, Mr. Kibaki and Mr. Raila Odinga for capturing the tide at the flood on 28th February, 2008, by signing the peace accord and bringing peace back to this country. Indeed, they captured the moment and now it is our part, as Parliament, to also rise to the occasion.

Mr. Temporary Deputy Speaker, Sir, I was very happy to hear about the plans that this Government has for the youth of this nation. The youth comprise 70 per cent of the population of

this nation. At 45 years of age, Kenya is, indeed, a youthful nation. The problems that the youth of this nation face have not been given priority. It is time that the problems of the youth of this nation were addressed. Looking at the President's Speech and the plans that the Government has for the youth, I wish to say that all must be done to give hope back to the youth of this nation.

Looking at the militias and the clashes that took place in the post-elections violence, the youth played a major role. Indeed, they were the gangs for hire for the warlords. It is not that it was out of choice. It is because most of the youth of this nation are unemployed. They are idle! They have nothing to do. They are the ones who were used to torch houses, kill and blockade all the roads. Unless something is done to give hope to the youth, this country will still suffer.

Mr. Temporary Deputy Speaker, Sir, I was also very pleased to hear of the plans that the Government has for the farmers of this nation. The President talked about plans to help displaced farmers. I come from a region where farmers have been displaced from their farms. They are unable to access their fields to prepare them. The rains have set in and they are unable to farm. For those farmers who are able to access to their farms, the high cost of inputs - fertilisers that used to be Kshs2,000 have now doubled to Kshs4,000 - they are unable to farm. Therefore, we must support plans to assist those who are displaced to get seeds and fertilisers to farm this year. Those who are not in the camps are equally facing the same challenge. They are not able to buy the inputs and farm this year. Urgent measures must be put in place to ensure that they farm this year.

We have, as the Tenth parliament, been given the challenge to bring about a new constitutional order. This is a challenge and a task that the previous Parliaments were unable to accomplish. However, we are privileged to be hon. Members of this Parliament that has the rare opportunity to actually accomplish what the previous Parliaments were unable to do. I believe that out of this crisis, we have found a new spirit of unity. It will take unity and working together to complete the constitutional review process that stalled because of partisan reasons. Indeed, it is a big challenge but equally, like the Chinese say, in every crisis, there is an opportunity. It is a great opportunity for us, as hon. Members of this Parliament, to ensure that we deliver to Kenyans a new Constitution that they have always desired.

As I conclude, there is the issue of justice that has been touched by various hon. Members of this House. What we urge is that justice must be done! As we talk of resettlement of Internally Displaced Persons (IDPs) and measures to accommodate divergent views, we must also talk about justice. We have a legal maxim that says: "When justice is done, we must let justice be done even if the heavens fall." Justice should not be looked at from a tribal, partisan or religious angle. Justice is even-handed and for all those who are responsible for torching houses and killing, let justice be done even if the heavens fall.

Mr. Temporary Deputy Speaker, Sir, I conclude by urging that hon. Members must embrace the new spirit embodied in the Address of the President - the new spirit of compromise. It will take compromise to actually complete the constitutional review. It will take compromise to accomplish much that must be done by this Tenth Parliament. In days ahead, the word "compromise" should be in our hearts, minds and thoughts. It is the word that a great American Statesman, Mr. Henry Clay, once said: "Compromise is what holds together. It is the cement that holds together the union that makes America." It is the glue that is going to hold together the new Government of National Unity that we are going to form. So, let us all compromise for the sake of our national good.

Thank you!

Nominated Member (Mrs. Shebesh): Thank you, Mr. Temporary Deputy Speaker, Sir. I stand to support this Motion. I must start by thanking my party, the Orange Democratic Movement (ODM) for having the confidence in me to be a part of this honourable House.

I want to start by acknowledging that being in this House is a great responsibility for all of

us. It dawned on me the great responsibility that we carry when, over the weekend, I was privileged to accompany my colleagues, the hon. Member for Eldoret East and hon. Member for Eldoret South, who showed me what IDPs are, and what living in an IDP camp is all about.

Mr. Temporary Deputy Speaker, Sir, that is why I would like to begin by saying that the responsibility of this House towards the victims of the crisis that came about because of politics is the greatest responsibility we have as a House. I saw in those camps a situation that I did not believe I would ever see in my lifetime. I want to say that the spirit of the Presidential Address during the opening of this House was about peace and reconciliation. However, as we went around Rift Valley Province that day, Uasin Gishu District in particular, it was clear that there are still disparities and there seems to be preference in the way Internally Displaced Persons (IDPs) are being treated.

I believe that as a Member of this House, if we want peace and reconciliation, we must start by stating the truth. We went to various camps where the Red Cross had not visited for some time and we were not sure whether that was a mistake or it was deliberate. We went to other areas where the victims or the IDPs feel that they are still being victimised by the local administration, especially the District Officers (DOs). They were clear enough to tell us as much. So, I believe that we have a responsibility, even as we go about planning our power-sharing agreement, to stop being selfish and start by remembering those who are suffering greatest. I do not believe we are the ones suffering the greatest, but it is the people of Kenya.

Mr. Temporary Deputy Speaker, Sir, I want to touch on some of the issues that were raised in the Presidential Address and start by saying that I was very impressed, of course, by the intention of the Bills that are going to be brought into this House. However, I was very disappointed to note that the Affirmative Action Bill was not part of the Bills that the Government will be sponsoring. I would like to urge the Government that the Affirmative Action Bill is really going to solve a lot of problems for the women, youth, marginalised communities and even people with disabilities. I think it is about time that we, as a House and a Government, stopped paying lip service to the issue of women, youth, marginalised people and people with disabilities. I urge the Government to look into the possibility of bringing the Affirmative Action Bill to the Floor of this House as a Government-sponsored Bill, so that it is enacted as quickly as possible.

Mr. Temporary Deputy Speaker, Sir, I also want to comment on the issue of the Urban Planning Authority that is going to be put in place. I really believe this is critical for us to be able to deal with the issue of insecurity not only in urban areas, but in the whole country. This is because we are aware that most of the criminal elements that we have and were even used during this crisis, are formed within the slum areas of urban centres, especially in Nairobi. This authority that is coming into place would be a start for us, as people who live in the urban areas, to deal with the issue of insecurity. Poor planning in these urban areas has been the reason why we have insecurity in this country. It is spreading itself from urban areas to the rural areas using these militias that are finding their home in slum areas. It seems the law is unto the militias and not to the security services of this country.

Mr. Temporary Deputy Speaker, Sir, (Ms. Shebesh) I want to also comment again on the spirit that the President used in his Address and to caution the leaders, especially because of the comments that we have heard from the Head of the Civil Service, that the spirit of this Accord must be seen to be implemented. If it is not seen to be implemented, then we are being dishonest not only with ourselves, but in saying that we support it because the spirit of this agreement was a power-sharing formula that leaves everybody in a win-win situation. We do not want to feel, as the Orange Democratic Movement (ODM) Party, that we came into a power-sharing agreement that leaves us in a win-lose situation. I think it is very important for us to be candid about this. We must address the issue of this power sharing of the Government in the spirit with which the two leaders

who signed the agreement made it clear to the nation.

I, therefore, want to support this Motion. I am grateful for the opportunity again to serve in this House, courtesy of my party and I beg to support.

The Minister for Energy (Mr. Murungi): Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to support this Motion. My names are Kiraitu Murungi. I am the Member of Parliament for South Imenti Constituency. I would like to thank the people of South Imenti for electing me for the fourth time to represent them in this Parliament.

Mr. Temporary Deputy Speaker, Sir, I must say that I am very excited to be a Member of the Tenth Parliament. I am very happy to see my old friends here. Indeed, when we first came to Parliament in 1992, we were very excited as young Members. We wanted to bring very radical changes to this country. I am very happy to see that we are back with many of those who were elected in 1992, including yourself, Mr. Temporary Deputy Speaker; Professor Anyang'-Nyong'o on the other side, hon. James Orengo, the Prime Minister-designate and many others. I hope the dream that we had for this country in 1992 and which over time we have struggled to realise in very difficult circumstances would be realised during this Tenth Parliament.

Mr. Temporary Deputy Speaker, Sir, first and foremost, let me congratulate His Excellency the President for making an excellent Address to this House and setting the agenda for the nation, in fact, in a beautiful way. The key message in the President's Address was national healing. It is in that context that we would like to congratulate both His Excellency the President and the Prime Minister-designate for signing the historic Accord which has brought to an end the uncertainty and violence that this country has witnessed since the elections that were held in December, 2007. While we are celebrating the signing of this historic Accord, we should not forget that this is not the first time that the Prime Minister-designate, His Excellency the President and the Vice-President and Minister for Home Affairs, Mr. Kalonzo Musyoka, have worked together. We were with them again in January, 2003, in the same Government. I hope we would learn from the mistakes that were made then so that this accord does not break. I think the greatest challenge that we have is, first of all, honesty and humility as leaders of this nation. Every time you go into an arrangement and you try to find out from that agreement what is in it for me; that is the first mistake we make. I think we should learn to sacrifice ourselves for the benefit of the people of this country.

Mr. Temporary Deputy Speaker, Sir, for me, this violence has really opened my eyes. I did not know that there was so much anger and hatred between us in this country. When I saw children being burnt in a church in Eldoret, I, for the first time, realised that we really do not understand the country in which we live. We have to address the root causes of this anger and violence. This is because you cannot tell the people who were burning each other's houses yesterday now to embrace each other and love each other. Well, they may do so, but inside them, the grievances still remain. We have to address those grievances, if we have to have a lasting peace and security in this country.

Mr. Temporary Deputy Speaker, Sir, we need a radical transformation of our politics. For the last 40 years, we have been pretending that we are one nation called Kenya but, indeed, we are not. We now understand that we have 43 ethnic groups. There was one which was discovered last week!

Mr. Temporary Deputy Speaker, Sir, you are a member of your ethnic---- Our challenge is to *kenyanise* Kenyans, so that we start seeing ourselves as members of one country called Kenya. One of the things that have divided us is the feeling that there are some people who enjoy and others who suffer. This is in terms of either where you come from or your social class.

Mr. Temporary Deputy Speaker, Sir, I can connect especially with members of the Luo community. In 1992, I spent sometime in Nyanza and the rest of Kenya, campaigning for the late

Mzee Jaramogi Oginga Odinga. Historically, when I listened to them they said: "We were excluded from power during the reign of the late *Mzee* Jomo Kenyatta. We were excluded from power during the reign of Daniel Toroitich arap Moi. We are now, again, excluded from power during the reign of Mwai Kibaki. When are we ever going to be in power ourselves?"

Mr. Temporary Deputy Speaker, Sir, a democracy which has possibilities of permanently locking out certain groups of people from power in this country for ever cannot last!

(Applause)

The time has come for us to fundamentally think about our institutions of governance, so that they are more inclusive. We have to have ethnic justice. We have to have regional justice, not only in terms of distribution of power but also in distribution of resources. That way, we are going to ensure that there is lasting peace and security in this country.

Mr. Temporary Deputy Speaker, Sir, I know we are very fond of prayers. I encourage every Kenyan to continue praying. However, until we address these fundamental issues, it does not matter how many hours we spend in the mosques or at the Kenyatta International Conference Centre (KICC) praying for the nation, because Kenyans will fight tomorrow. I think the time has come for us to fundamentally look at ourselves. Let us not be trapped in the past! We say *Mzee* ole Ntimama was this and that, Kiraitu Murungi was this and that. Forget all that! Let us start from today to build tomorrow.

Mr. Temporary Deputy Speaker, Sir, the question of poverty among the youth is very important. If you look at the people who were involved in this struggle, it is the youth. They have nothing to lose. The time has come for us to take poverty among the youth much more seriously. Otherwise, we are going to be clapping and congratulating ourselves here, yet we will be overthrown through a violent revolution.

Mr. Temporary Deputy Speaker, Sir, I think the time has come for us not to merely speak and congratulate each other, but to come up with concrete programmes for addressing both tribalism and issues of poverty among the youth. That is why I am very happy that for the first time we are going to enact a law called "the Ethnic Relations Act". We are going to have a commission to ensure that resources are adequately distributed across all the communities, and that people who are going to incite ethnic hatred against each other will face the full consequences of the law.

Mr. Temporary Deputy Speaker, Sir, as I conclude, Kenyans out there think of hon. Members of Parliament as a very selfish lot; people who have come here to earn big salaries, drive big cars and eat in big hotels. Right now, they are looking at us to see how we are going to the internally displaced persons (IDPs); the people who are living in tents in Nakuru and other places. Even as we share power among ourselves and think about fundamental issues in this country, let us give priority to the IDPs. Let these people return home. Let them have something to eat and somewhere to sleep as we address the other bigger issues in the nation.

With those few remarks, I beg to support.

The Member for Rangwe (Mr. Ogindo): Thank you, Mr. Temporary Deputy Speaker, Sir. My name is Otieno Ogindo, MP for Rangwe. Rangwe is in Homa Bay District. I would like to take the earliest opportunity to thank the people of Rangwe for giving me this opportunity to serve them and the rest of Kenyans, in this House. It is my hope that I will be in this House for the next four years.

For that reason, I want to say three things: One, I want to commend the President for his Speech, which he delivered during the opening of this House. The President captured not only the hopes and the minds of this House, but also of the nation and the world at large. The President put us on the road to accord national reconciliation. It is incumbent upon all of us to display good

intentions as we walk this path, so that we can realise the ultimate good of it.

Mr. Temporary Deputy Speaker, Sir, as we are here today, the next stage is in the hands of the Minister for Justice and Constitutional Affairs, Ms. Karua, and our long serving Attorney-General, Mr. Wako. Together with this House, I am looking forward to carefully and well intentioned draft bills that will come forward for discussion in this House for the realisation of the same. I, belatedly, urge that the drafting be devoid of any mischief.

The second issue I want to talk about is that a large percentage of this nation is made up of young people. I want to put it as early as possible to this House that the challenge is ours to ensure the welfare of these young people. We can do it by expanding our economy to operate twenty-four hours. I want to challenge the Minister for Public Service to open the doors of Public Service twenty four-hours.

Mr. Temporary Deputy Speaker, Sir, the problem of inequity is a reality. The sooner we look at it at its face, the better for us. What is good for Kenyans is good for everybody. Right now there is police recruitment taking place. In the interest of transparency, we would want to see equity exhibited by knowing the rate of distribution across the country.

Last but not least, on the Presidential Speech, I would like to support the President's concern to mainstream our fishing sector. I have had the honour to serve in Wajir in the North Eastern Province, and I know there is fish there. I also know that there is fish in Sagana. There is also fish in River Tana. The establishment of a fisheries board to mainstream this product, if not to ensure that fishermen who produce the fish which earns this country over Kshs3 billion have their share of the same, is long overdue.

With those few remarks, I beg to support.

The Temporary Deputy Speaker (Mr. Imanyara): Please, tell us your names and the Constituency you represent?

The Member for Kimilili (Dr. Eseli): Thank you, Mr. Temporary Deputy Speaker, Sir. I am Dr. David Eseli Simiyu representing Kimilili Constituency.

Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me this opportunity to contribute and support the President's Address. First, I would like to thank the Kimilili Constituency people for electing me to represent them in this House for the next five years. Secondly, I would like to congratulate all the hon. Members here for having been elected to represent their respective constituencies. Thirdly, I would like to thank and also congratulate the two Principals, His Excellency the President and the Prime Minister designate, hon. Raila Odinga, for giving this country another chance because, indeed, the country appeared to be going to pieces. From a personal experience, as I travelled from my constituency in Western Province on 31st December, 2007, to Nairobi - that is on new year's eve - I almost lost my life between Langas and Eldoret Airport. In the process, I lost a motor vehicle. But, thank God, I arrived in Nairobi only to find out that the country was much worse than what I had seen in Eldoret. For a while, I was worried that, maybe, I might not get to see the convening of this Parliament. But by the grace of God, we convened.

Mr. Temporary Deputy Speaker, Sir, what surprised me was the acrimony that was coming from both sides of the House and for a while, I was worried that even if we ended up convening, we might not be able to transact any business. But the two Principals, His Excellency the President and the Prime Minister designate, came together; forgot their personal and party interests and put the nation ahead of everything and actually put us together to convene this House and deliberate on the business before this House.

Mr. Temporary Deputy Speaker, Sir, as I support what the President told us in his Address, I would like to say that putting the endowment fund and giving relief to the displaced people to go back to their productive farming is good. That is because the food security in this country right now

is rather precarious. As we all know, we are being informed that we might not have any food by July this year. Apart from the displaced people, the farming activities of the undisplaced people are also at risk. If I might add to what hon. Wamalwa has said, if we want to have food security here, I think the Ministry of Special Programmes needs to come up with a rescue package to assist the farmers to have enough inputs. That is because the cost of a bag of DAP fertilizer is at Kshs4,000. So, preparing an acre is costing the farmer about Kshs10,000. That is just impossible! The farmer has been left at the mercy of the merchant and I fear for the food security of this country, especially in the coming one year.

Mr. Temporary Deputy Speaker, Sir, many hon. Members have talked about involving the youth in gainful employment so that they are not taken up in mischievous activities, like what happened after the last General Elections.

Mr. Temporary Deputy Speaker, Sir, as a country, I think we have fixated on land to the extent that we feel that land distribution is the core problem in the country. But I would like to say that so long as we stay fixated on land problems, in 50 years' time, we will still be chasing each other, chopping each other's heads off with machetes, and shooting people with projectiles like poisoned arrows over land. We need to relieve the pressure on land. The only way that can be done is to make a concerted effort to industrialize. Look at agro-industries, for example. I really do not understand why the people in Kimilili Constituency should struggle so much to grow maize and then sell it at a cheap price to come and mill it in Thika. They are exporting their jobs! We need to have industries spread around the country so that the youth could be gainfully employed.

Mr. Temporary Deputy Speaker, Sir, talking of equitable distribution of resources, I also do not understand why sugar farmers in Mumias and Nzoia should actually be subsidizing the existence of Kisumu City when they have Bungoma and Webuye towns nearby. These two factories actually prop up the economy of Kisumu, and not the economy of Western Province. So, when we talk of equitable distribution of resources, we need to look at these things across the board and make sure that this principle is maintained everywhere. When we talk about equity, let us look at equity in terms of representation. For instance, I am here, representing over 90,000 registered voters of Kimilili, which is a rural constituency. Is that equity? So, we also need to look at equity in those terms.

On the issue of ethnicity, which was well captured by the President in trying to bring the Ethnic Relations Commission of Kenya Bill; it still puzzles me that earlier on, I listened to hon. Members arguing back and forth between the divides, accusing each other of committing genocide and crimes against humanity and such things. It surprises me because we signed the Rome Statute on 11th August, 1999, which created the International Criminal Court and defined international crimes. On 15th May, 2005, we deposited our instruments as a state that is party to this convention. What happened in the intervening period? Where were the Attorney-General and the Minister for Justice and Constitutional Affairs? They should have brought legislation to this House to be enacted to govern issues of genocide and crimes against humanity. We would not have to yell about taking each other to the Hague.

Some people say that we are 42 tribes, but I think we are more than 42 tribes. While we encourage co-existence of communities in this country, we need to have a legislation in place to encourage that co-existence, so that people know that they can be punished if they breach the law. It should not be a question of taking them to the Hague. This House has a great opportunity to put a legislation in place to govern those kinds of crimes, so that we do not keep on accusing each other. We have not given the police enough powers to arrest people. Right now, if the police arrest anybody, they will have to charge him with arson or murder. In this case, it will be manslaughter. So, such persons end up very cheaply in getting off the hook. We, as a nation, we have failed to provide bedrock to protect our people from these kinds of crimes against them.

Finally, talking about power-sharing, I think we have misled Kenyans. We have made it look like power sharing is the panacea to our problems. Power-sharing, in my view, is just a small check and balance. The problem we have in this country is misuse of power. I dare say that many people who have held high office, both in this House and outside, have had occasion to misuse those powers, for either personal gain or gain of their clans or tribes. So, the problem we have here is misuse of power. By simply sharing out this power does not stop its misuse. So, when we get the opportunity to enact a new Constitution, we must make sure that we put in place adequate checks and balances on those powers. That is what will save this country.

Thank you, Mr. Temporary Deputy Speaker, Sir, for giving me the opportunity. I support the President's Speech.

The Member for Vihiga (Mr. Chanzu): Mr. Temporary Deputy Speaker, Sir, thank you for giving me the opportunity to support this important Motion. My name is Yusuf Chanzu, Member of Parliament for Vihiga Constituency. I would like to express my gratitude to the people of Vihiga Constituency for giving me a chance to serve them for a second time. I was in this Parliament between 1997 and 2002. At that time we were looking at change. We thought we were going to have youthful leadership. We supported our friend on a KANU ticket, but the NARC wave swept us aside. But this time, I was able to repackage myself and come back afresh. With God's blessings and support, I was able to go through this time. You know it is very difficult to go through when you lose once, particularly with the changes which have taken place and the dynamics of politics. I [know you have that experience. It is very difficult to make it back due to the competition that you face. So, I am very grateful to the people of Vihiga Constituency.

Mr. Temporary Deputy Speaker, Sir, my colleagues have talked on several issues here which are very important, but there is an issue which we are not addressing in this country. If we are going to solve the issues of the youth, then we are not going to do so by keeping people who are over-age in the public service, because that does not allow for continuity. There will be no hope. If we are going to keep people who are 65 years or 70 years old in the Civil Service or public offices, I do not think we are going to achieve that. It is not going to be possible for somebody who is of that age to address issues which are going to be good for the youth. We need to have some of those offices run by young people, who are quite many in this country, and are highly educated.

Mr. Temporary Deputy Speaker, Sir, we have talked about development all over the country. We have talked about tourism as one of the high earners of revenue for this country. But I would like to address the issue of infrastructure. The roads in this country are in a pathetic state. You cannot move for 50 kilometres before you hit potholes. Therefore, I would like us to address the issue of roads. One of my colleagues talked about the Mombasa-Nairobi Road. The road from Nakuru to Kisumu is in a very pathetic condition. There are so many roads there which are in a very bad state. I would like us to address that. We are going to have Ministers in all Ministries. We would like to get adequate funding for us to be able to construct roads. Once you have a good infrastructure then we can talk about developing areas.

Mr. Temporary Deputy Speaker, Sir, the other thing which I would like us to address is the money that we are spending on district roads. We are not getting adequate funding, but the people who are charged with the responsibility of distributing the money in the districts do very haphazard work. Instead of spending money on a project which can last for about three or four years, they scatter the money all over the place, and when the rains come the whole thing is washed away. I would like that issue to be addressed as we go along.

Mr. Temporary Deputy Speaker, Sir, in the last Parliament there was a lot of talk about Members of Parliament putting their welfare ahead of that of *wananchi*. I would like this Parliament to distinguish itself by doing better than that. I would like us to do what we are doing now. We have these two important Bills which are coming to the Floor of the House. I would like

all of us to support them, so that our people can live in harmony and can see that the people they elected are mindful of their welfare.

Mr. Temporary Deputy Speaker, Sir, the other point that I would like to raise, and which has been talked about by one hon. Member here, is the harmonization of districts. Over the last few weeks, friends have been calling me to say that they have a new District Commissioner (DC). When it comes to the distribution of resources, I think equity should be taken into account. I know that most of those districts were dished out last year. It may have been because of politics. But now that we are through with the politics of the 2007 General Elections--- We know which positions each one of us took. I would like the districts to be harmonized so that, if it is a matter of every constituency being a district, then let it be.

Mr. Temporary Deputy Speaker, Sir, although the reporting on the skirmishes did not come out very clearly in every part of the country, there are very many areas that were affected. I would like to see the Kshs1 billion kitty to cater for those who were displaced or had very severe injuries, and those who lost their relatives or loved ones being distributed equitably. That can only be done by accepting that, that happened, and then taking stock of all that happened. That way, we can take care of everybody who was affected.

Mr. Temporary Deputy Speaker, Sir, the other aspect that I would like to be dealt with, maybe through one of the committees--- I have a suggestion to make to this House. When you look at the offices at Continental House, they look very impressive from outside. But I was imagining that if we had room, half of the Members of Parliament should occupy the offices that we have now, then we can have other offices for the other half. That way, we will have convenient places for people to sit. I cannot be in an office with my personal assistant and other things that are causing congestion. I think it is not a good working environment.

(Applause)

Mr. Temporary Deputy Speaker, Sir, with those few remarks, I beg to support.

The Member for Mwatate (Mr. Mwatela): Ahsante sana, Bw. Naibu Spika wa Muda. Ningependa kutoa maoni yangu kwa lugha ya Kiswahili, lakini kwanza, ningependa kujitambulisha. Mimi ni Bw. Calist Mwatela, Mbunge wa Mwatate.

Ningependa kuwashukuru wapiga kura wa Mwatate kwa kunipigia kura kwa wingi na pia kukipigia kura chama changu cha ODM.

*(Mr. Shabbir crossed the Floor
without bowing to the Chair)*

The Temporary Deputy Speaker (Mr. Imanyara): Order, Mr. Shabbir!

(Mr. Shabbir walked out of the Chamber)

The Member for Mwatate (Mr. Mwatela): Ahsante sana, Bw. Naibu Spika wa Muda. Ningependa kuwapongeza Rais Kibaki na Waziri Mkuu mtarajiwa, mhe. Raila, kwa kuafikiana ili nchi hii iingie katika mstari wa maendeleo.

Bw. Naibu Spika wa Muda, ningependa pia kuwashukuru wale waliohusika katika majadiliano ya kutafuta uelewano, wakiwemo katika upande wa Serikali, mhe. Karua, mhe. Wetangula, Prof. Ongeru na mhe. M. Kilonzo; na kwa upande wa ODM, mhe. Mudavadi, mhe. Samoei, mhe. S. Kosgey na mhe. Orengo. Ningependa kusema kwamba hali iliyotanda katika nchi hii baada ya tarehe 28 Desemba, 2007, ni hali ambayo ilitishia sana taifa hili. Bw. Naibu

Spika wa Muda, tukiangalia historia ya nchi hii kwa makini, tutaona ya kamba kabla ya Uhuru, wananchi walijitolea mhanga kupigana na mkoloni. Sababu kubwa ya wao kuchukua silaha dhidi ya mkoloni ilikuwa ni ardhi. Ardhi yao ilikuwa imenyakuliwa na mkoloni. Ningependa ieleweke kuwa watu wengi, hasa kutoka Mkoa wa Kati, walipigania ardhi yao. Hata hivyo, baada ya Uhuru, ardhi iliendelea kubaki mikononi mwa watu wachache. Wengi wa watu waliopigania haki ya kumiliki ardhi yao walihamishwa na kupelekwa sehemu mbali mbali nchini. Kwa mfano, wengi wao walipelekwa sehemu za Molo na Eldoret.

Bw. Naibu Spika wa Muda, ingekuwa bora wakati tunapozungumza juu ya mambo haya tuwatambue kwa uwazi wale watu wote waliomiliki ardhi baada ya Uhuru, na hasa katika Mkoa wa Kati. Ni heri kama ardhi hiyo ingepewa watu wengi katika Mkoa wa Kati.

Bw. Naibu Spika wa Muda, ningependa kuzungumza juu ya swala la watu ambao wamepoteza makao yao na sasa hivi wanaishi katika kambi mbali mbali hapa nchini. Ni kweli kuwa kuna hazina ambayo Serikali imetenga ili kuwashughulikia watu hao. Ninakubaliana na waheshimiwa Wabunge waliosema kuwa hazina hiyo haitoshi. Ingekuwa bora zaidi kama Serikali ingewasaidia wanabiashara wote walioathirika kutokana na fujo za kisiasa ili kuzindua upya biashara zao. Hii

inawezekana ikiwa usimamizi wa hazina hiyo utakuwa mikononi mwa benki zetu na ikiwa wanabiashara walioathirika watapewa mikopo ya riba ya chini ili waweze kufufua upya biashara zao.

Mojawapo ya majukumu ya Bunge la Kumi ni kuhakikisha ya kwamba tutakuza watoto wetu katika maadili ya kupendana. Maadili haya ni lazima yaanze katika shule zetu. Walimu wanafaa kuwafunza watoto kuishi na wenzao bila ya kujali misingi yao ya kikabila.

Bw. Naibu Spika wa Muda, wenzangu wamegusia kuhusu barabara. Katika nchi hii, barabara zetu ni mbovu mno. Kwingineko, tumeahidiwa kuwa barabara zitajengwa kwa miaka mingi na hazijajengwa. Katika sehemu yangu ya Mwatate, kuna barabara ambayo imetoka Voi kuelekea mpakani Taveta, ambayo, kama ingejengwa, ingeleta faida kubwa kwa uchumi wa nchi hii.

Ningependa kueleza kuwa urefu wa barabara kutoka Bandari ya Dar-es-Salaam, Tanzania, mpaka Arusha, ni mara zaidi ya mbili urefu wa barabara kutoka Bandari ya Mombasa kufika Arusha. Vivyo hivyo, urefu wa barabara kutoka Bandari ya Tanga, Tanzania, kufika Arusha ni mkubwa kuliko urefu wa barabara kutoka Mombasa mpaka Arusha. Tukichukulia kuwa sehemu za Arusha na Kilimanjaro ndizo sehemu zenye hali kuu ya uchumi wa Tanzania na zinahitaji umuhimu wa bandari, tutaona kuwa tukijenga barabara ya kutoka Voi hadi mpaka wa Taveta, tutapanua biashara kati ya sehemu za Arusha na Kilimanjaro na nchi yetu ya Kenya. Ningependa kuiomba Serikali iharakishe ujenzi wa barabara hiyo kwa sababu bila shaka, itaongeza uajiri kwa wingi sana.

Ningependa kumalizia kwa kusema kuwa nchi hii ni tajiri sana isipokuwa utajiri mwingi uko mikononi ya wa watu wachache sana. Tena utajiri huo haukupatikana kwa haki. Mara nyingi, umepatikana kupitia ufisadi. Ninaunga mkono Hoja iliyotolewa hapo mbeleni kuwa Serikali yetu isiwe na wafisadi ndani yake. Serikali yetu inafaa kuwapatia madaraka watu ambao wanajulikana kwa kupigana na ufisadi. Hapo mbeleni, imeonekana kuwa ikiwa mfanyikazi wa Serikali anapinga ufisadi, huadhibiwa badala ya kupandishwa cheo. Ningependa kuiomba Serikali ihakikishe imewapandisha vyeo wafanyikazi ambao wanatenda uzuri kwa nchi hii ili tuweze kupigana na ufisadi.

Kwa hayo machache, ninaiunga mkono Hotuba ya Mheshimiwa Rais. Pia ninaunga mkono mapendekezo yaliyoko katika Hotuba hiyo.

The Member for Fafi (Maj. Sugow): Mr. Temporary Deputy Speaker, Sir, I stand here to support this Motion on the Presidential Speech. I would like, first of all, to thank God for returning

peace to this country. We are all human beings, but it is only God who can save us from the problems that we have faced. We thank God for that. Secondly, I would like to thank the President for maintaining that same impetus with which he signed the Accord with his counterpart, hon. Raila Odinga. We all need to support them as hon. Members of this House and leaders of this country to ensure that, that Accord sees the light of day as a legislation and the necessary constitutional amendments that are being brought in form of Bills to this House.

Mr. Temporary Deputy Speaker, Sir, I would also like to thank our negotiators who have burnt the midnight oil for six weeks to make us realise what we have so far realised. They have midwived this process, particularly the mediators, to ensure that this country does not go to the dogs.

ADJOURNMENT

The Temporary Deputy Speaker (Mr. Imanyara): Order, Maj. Sugow! You will have seven minutes this afternoon.

It is now time for the interruption of business. The House is, therefore, adjourned until this afternoon at 2.30 p.m.

The House rose at 12.30 p.m.